

The Gazette



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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 17th July 1956 :—

Issue No.	No. and date	Issued by	Subject
213	S.R.O. 1623, dated the 16th July 1956.	Ministry of Commerce and Industry.	The Central Government authorises Shri K.P. Jain to take over the management of the whole of the Ram Luxman Sugar Mills Mohiuddinpur subject to certain terms and Conditions.
214	S.R.O., 1624, dated the 9th July, 1956.	Election Commission India.	Designation of Returning Officers for the electoral college constituencies in the state Tripura.
	S.R.O. 1625, dated the 9th July 1956	Ditto.	Appointment of Assistant Returning Officers for the electoral college constituencies in the state of Tripura.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF HOME AFFAIRS

New Delhi, the 18th July 1956

S.R.O. 1661.—In pursuance of sub-rule (I) of rule 4 of the Notaries Rules, 1955, the Central Government hereby designates Shri S. Narayanswamy, Deputy Secretary to the Government of India in the Ministry of Home Affairs, as the officer who will discharge the functions of the Competent Authority under the said Rules in relation to notaries appointed by the Central Government.

[No. F.3(I)/56-Judl.II.]

V. VISWANATHAN, Joint Secy.

MINISTRY OF FINANCE
(Department of Economic Affairs)
(Office of the Treasurer of Charitable Endowments for India.)

New Delhi, the 17th July 1956

S.R.O. 1662.—A list of securities as on 31-3-1955 and abstract accounts of interest for the year 1954-55 in respect of Charitable Endowments in the State of Coorg held by the Treasurer of Charitable Endowments, Coorg as Agent to the Treasurer of Charitable Endowments for India, under the Charitable Endowments Act, 1890 (VI of 1890) are published for general information.

S. No.	Name of the Endowment and Person on whose behalf held	Particulars of Securities and Total Value	Abstracts of accounts of interest			Remarks
1	2	3	4			5
			<i>Receipts</i>			
			Rs.		Rs. A. P.	
1	<i>The 1937 Coronation Essay Prize Fund.</i> A Board of Trustees consisting of (a) the Head Master, Cental High School, Mercara, (b) the Head-Master, Government High School, Virajpet and (c) the Headmistress, Girl's High School, Mercara.	3 % conversion loan of 1946.	100	Opening balance carried forward from last year. Interest or dividend realised during the year. .	48 5 0 1 8 0*	*Represents interest for one-half-year only. Although interest was due for full year but could not be collected before the close of the year. No remittance to the Administrators of the Fund was made during the year as no application was received from them. It is the practice to pay the Administrators of the Fund only on receipt of an application from them.
		TOTAL .	100	TOTAL .	49 13 0	
				<i>Payments</i>		
				Balance in hand . . .	49 13 0	
				<i>Receipts</i>		
2.	<i>Yates Endowment Fund.</i> The District Education Officer, Coorg, Mercara.	3 % conversion Loan of 1946.	400	Opening balance carried forward from last year	131 12 4	*Represents interest for one-half-year only. Although interest was due for full year

but could not be collected before the close of the year.

		Interest or dividend realised during the year.	* 6 0 0
Total . . .	400	Total . . .	137 12 4

Payments Nil

Balance in hand . . . 137.12.4

Receipts

3. The Korvanda Appiah's Educational Endowment.

A Board of Trustees consisting of the following Gentlemen with power to add to their number if they find it necessary.	3 % conversion Loan of 1946	15,800
	3 % second Victory Loan of 1959-61	300
(a) Shri Korvanda Mandanna.	National Savings Certificates	800
(b) Shri Kodira Uthappa .		
(c) Shri Korvanda Chermana	Total	16,900
(d) Shri C. Achutha Rao.		

Opening balance carried forward from last year	731 10 0
Interest or dividend realised during the year	† 237 0 0
(Plus	9 0 0†
Total	968 10 0
(Plus	9 0 0)

†Rs. 9 will be adjusted to the final head of account in the accounts for the subsequent year i.e. 1955-56.

§Rs. 1-5-0 in respect of fee due to Government which could not be adjusted in these accounts, will be adjusted in the subsequent year.

Payments

Interest remitted . . .	930 0 0§
Balance in hand . . .	38 10 0
(Plus	9 0 0)

S.R.O. 1663.—A list of securities as on 31-3-1956 and abstract accounts of interest for the year 1955-56 in respect of Charitable Endowments in the State of Coorg held by the Treasurer of Charitable Endowments, Coorg as Agent to the Treasurer of Charitable Endowments for India, under the Charitable Endowments Act, 1890 (VI of 1890) are published for general information.

S. No.	Name of the Endowments and Person on whose behalf held	Particulars of Securities and Total Value	Abstracts of accounts of interest	Remarks
1	2	3	4	5
			Rs. A. P.	
			<i>Receipts</i>	
1	<i>The 1937 Coronation Essay Prize Fund.</i>			
	A Board of Trustees consisting of	3% Conversion Loan of 1946 100	Opening balance carried forward from last year 49 13 0	
	(a) the Head Master, Central High School, Mercara,		Interest or dividend realised 4 8 0*	*Includes Rs. 1-8-0 for interest for the 2nd half year 1954-55. No remittance to the Administrators of the Fund was made during the year as no application was received from them. It is the practice to pay the Administrators of the Fund only on receipt of an application from them.
	(b) the Head-Master, Government High School, Virajpet and,	Total 100	Total 54 5 0	
	(c) the Headmistress, Girl's High School, Mercara.			
			<i>Payments</i>	
			Balance in hand Nil	
			54 5 0	
			<i>Receipts</i>	
2	<i>Yates Endowment Fund</i>			
	The District Education Officer, Coorg, Mercara,	3% conversion Loan of 1946 400	Opening balance	
			carried forward from last year. 137 12 4	
			Interest or dividend realised 18 0 0†	†Includes Rs. 6 for interest for the 2nd half year 1954-55. No remittance to the Administrators of the Fund was made
	Total 400	Total 155 12 4		

during the year as no application was received from them. It is the practice to pay the Administrators of the Fund only on receipt of an application from them.

Payments . Nil

Balance in hand . 155 12 4

Receipts

3 The korvanda Appiah's Educational Endowment.

A Board of Trustees consisting of the following Gentlemen with power to add to their number if they find it necessary.	3 % conversion Loan of 1946	15,800
(a) Shri Korvanda Mandanna.	3 % second Victory Loan of 1959-61	300
(b) Shri Kodira Uthappa .	National Savings Certificates,	800
(c) Shri Korvanda Chermana.	Total	16,900
(d) Shri C. Achutta Rao.		

Opening balance carried forward from last year.	47 10 0
Interest or dividend realised.	237 0 0
Total	284 10 0

2nd half yearly interest on 3% conversion loan of 1946 for Rs. 15,800 and full year interest on 3% second Victory loan of 1959-61 for Rs. 300 could not be collected because of the transfer of the work from the Accountant-General, Madras to the Treasurer of Charitable Endowment, Coorg as Agent.

Payments

Interest remitted	276 5 0
Balance in hand	8 5 0

[No. F1(6)-F. I-TCE/56.]

G. SWAMINATHAN,
Treasurer of Charitable Endowments for India.

New Delhi, the 17th July 1956

S.R.O. 1664.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution the President, after consultation with the Comptroller and Auditor General of India, hereby directs that the following further amendments shall be made in the Contributory Provident Fund Rules, India, namely:—

Below para. 1 of Fifth Schedule to the said Rules the following Note shall be added, namely:—

“NOTE.—Advances to temporary Government servants may be sanctioned by the authority who is competent to sanction advance of pay on transfer for permanent Government servants”.

[No. F.28(12)EV/56.]

S.R.O. 1665.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, the President, after consultation with the Comptroller and Auditor General of India, hereby directs that the following further amendments shall be made in the General Provident Fund (Central Services) Rules, namely:—

Below para. 1 of Fifth Schedule to the said Rules the following Note shall be added, namely:—

“NOTE.—Advances to temporary Government servants may be sanctioned by the authority who is competent to sanction advance of pay on transfer for permanent Government Servants”.

[No. F.29(3)-E.V/56.]

J. C. SEN, Dy. Secy.

(Department of Company Law Administration)

New Delhi, the 18th July 1956

S.R.O. 1666.—In exercise of the powers conferred by clause (b) of sub-section (1) of the section 448 of the Indian Companies Act, 1956 (1 of 1956), the Central Government hereby appoints Shri Kanhiya Lal Bohra, Deputy Registrar, High Court of Rajasthan at Jaipur, ex-officio, to be the Official Liquidator attached to District Court at Jaipur, as a part-time Officer.

[No. 2(13)-CL-III/56.]

SHIV CHARAN SINGH, Dy. Secy.

CENTRAL EXCISE COLLECTORATE, DELHI

CENTRAL EXCISES

New Delhi, the 17th June 1956

S.R.O. 1667.—In exercise of the powers conferred on me by Rules 50 of the Central Excise Rules, 1944, I hereby direct that no manufacturer of excisable goods shall remove from his licensed premises any non-excisable goods produced in such premises or any intermediate or residual products in the factories as shown against each commodity in the list enclosed, except waste matter, without the permission of the Central Excise Officer Incharge of the factory.

2. To obtain the required permission the manufacturer or his authorised agent shall present an application in duplicate in the subjoined form not less than two hours before the intended removal of the products from the factory, to the Inspector of Central Excise.

FORM

No. _____

Date _____

To

The Inspector of Central Excise,
_____ Factory.

Please permit removal of the following:—

- (i) Quantity and description of goods.
- (ii) Mode of packing.
- (iii) Marks and Nos. of package(s).
- (iv) Purpose for which issued.
- (v) Name and address of the consignee and the L.4 No. if any.
- (vi) Date and time of removal.

Signature of the manufacturer or Agent.

3. The Inspector of Central Excise shall, after satisfying himself of the correctness of the goods, accord permission by endorsing one copy of the application as follows:—

“PERMITTED”

Inspector of Central Excise,
_____ factory.

and return it to the manufacturer who may thereafter remove the goods out of the factory. The original copy of the application will remain on the Inspector's record.

List of Non-Excisable Goods intermediate and residual products of excisable commodities which should not be removed with the permission of the proper officer under rule 50 of the Central Excise Rules, 1944

Name of commodity	Name of intermediate and residual products produced in the factory
Cloth	Staple fibre, fents, rags, chindies, factory weepings mixed with yarn.
Cement
Rayon or artificial Silk fabrics	Pieces of waste rayon or artificial silk and staple cloth.
Footwear	Chrome rubber soles and leather cutting.
Soap	Oils of different kinds glycerine.
Vegetable Products	Acid Oil, Trap Oil and soap stock.
Matches	Broken splints and veneers.
Sugar	Molasses and brown sugar.
Woollen fabrics	Complete beams and loom products of woollen fabrics, staple cloth manufactured in such mills.
Electric fans	Blades and unwounded motors, Bodies and Chaff cutter (if cleared packed).
Electric Batteries
Paper
Cotton fabrics	Beam, rags, fents, chindies and handloom products of cotton fabrics.
Paints and varnishes	Phenyle, wood preservative, linseed oil, turpentine oil, carbon black, red oxide, denatured spirit and red Ochre.
Vegetable Non-essential Oils	Sediments (oil gad) Press mud (if cleared packed in tins.)
Tea	Tea Waste.

NOTE.—If there are any other intermediate or residual products except those mentioned in the list which are also required to be cleared from the factory, under rule 50 of Central Excise Rules, 1944 in the interest of Government Revenue should not be cleared without the permission of the factory Officer.

[No. CER/56.]

B. B. BARMAN, Collector.

COLLECTORATE OF CENTRAL EXCISE, PATNA*Dinapore Cantt., the 16th July 1956*

S.R.O. 1668.—In exercise of the powers conferred by Rule 233 of Central Excise Rules, 1944, I hereby direct that every manufacturer of Vegetable Non-essential Oils in the State of Bihar within the jurisdiction of the Central Excise Collectorate, Patna, shall give to the Superintendent of Central Excise, having jurisdiction over the Factory of manufacture notice in writing in the form appended:—

- (a) A declaration of the working shifts and the weekly holiday to be observed within 14 days of the date of this notification.
- (b) Where a manufacturer intends to make any change in the number of working shifts or the hours thereof, or the weekly holiday he shall give written notice thereof specifying the change at least 48 hours before giving effect to it.

[No. 2-CE of 1956.]

C. B. PHILLIPS, Collector.

MINISTRY OF FINANCE (REVENUE DIVISION)**CUSTOMS***New Delhi, the 21st July 1956*

S.R.O. 1669.—The following draft of certain rules which the Central Government proposes to make in exercise of the powers conferred by section 43B of the Sea Customs Act, 1878 (VIII of 1878), as in force in India and as applied to the State of Pondicherry, is published as required by sub-section (3) of section 43B of the said Act for the information of persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration after the Twenty-first day of August, 1956. Any objections or suggestions which may be received from any person with respect to the said draft before that date will be considered by the Central Government.

DRAFT RULES

1. **Short title.**—These rules may be called the Customs Duties Drawback (Potassium Citrate), Rules, 1956.

2. **Definitions.**—In these rules, unless the context otherwise requires,—

- (a) 'the Act' means the Sea Customs Act, 1878 (VIII of 1878);
- (b) 'imported materials' means citric acid of British Pharmacopocial standard and Potassium carbonate imported into India or the State of Pondicherry by a registered manufacturer on payment of customs duty;
- (c) 'Potassium citrate' means the pharmaceutical chemical Potassium Citrate of B.P. quality manufactured in India or the State of Pondicherry, by a registered manufacturer from the imported materials defined in the last preceding sub-clause;
- (d) 'quarter' means a period of three months beginning with the first day of January, the first day of April, the first day of July or the first day of October;
- (e) 'registered manufacturer' means a manufacturer, in India or the State of Pondicherry, of potassium citrate, registered under rule 5; and
- (f) 'section' means a section of the Act.

3. **Goods in respect of which drawback may be allowed.**—Subject to the provisions of the Act and these rules, a drawback shall be allowed in the case of potassium citrate (hereinafter referred to as the goods) manufactured in, and exported from, India or the State of Pondicherry, or shipped as stores on board a ship proceeding to a foreign port, in respect of the imported materials used in the manufacture of the goods.

4. **Registration of manufacturers.**—(1) A drawback under these rules shall be admissible only in respect of the goods manufactured by a person registered under, and for the purposes of, these rules, by a Chief Customs Officer authorised

in this behalf by the Chief Customs Authority and hereinafter referred to as the authorised Chief Customs Officer.

(2) An application for registration shall be made by a manufacturer of the goods to the authorised Chief Customs Officer, describing the varieties or patent names, if any, and other specifications of the goods in respect of which registration is desired.

(3) The authorised Chief Customs Officer may, if he is satisfied that the provisions of these rules have been complied with, register the applicant as a registered manufacturer under, and for the purposes of, these rules.

5. **Rate of drawback.**—(1) Where the Customs Collector is satisfied that a claim for a drawback is established under these rules, such drawback shall be paid at the rate indicated hereunder.

(2) The rate of drawback of duty for every one thousand pounds of the goods shipped shall be seven-eighths of the average duty paid on six hundred and forty-eight pounds of citric acid B.P. plus seven-eighths of the average duty paid on six hundred and fifty-three pounds of potassium carbonate; such average duty being calculated on the basis of separate average values of citric acid B.P. and potassium carbonate respectively imported by the registered manufacturer during the six months, or such longer period as the Customs Collector may deem necessary, immediately preceding the quarter in which the goods under claim for drawback are shipped.

(3) Such rate of drawback shall be determined by the authorised Chief Customs Officer, at the beginning of every quarter in respect of the goods manufactured by each registered manufacturer, on the basis of statements, furnished by such registered manufacturer and verified by a Customs Officer, of the value of the imported materials imported during the preceding six months or such longer period as the Customs Collector may deem necessary, the quantity of the different imported materials actually used in the manufacture of every one thousand pounds of the goods and the customs duty paid thereon.

(4) Such rate of drawback shall be in force only for the quarter in which it has been determined and shall apply to all shipments of the goods made during that quarter from any port in India or the State of Pondicherry.

6. **Manner of allowing drawback.**—(1) A drawback shall be allowed on the shipment of the goods subject to the following conditions, namely:—

(a) the shipper of the goods shall make a declaration on the relative shipping bill that a claim for the drawback under section 43B is being made;

(b) the shipper shall, in the shipping bill, furnish, in addition to the particulars required under section 29, such particulars as may, in the opinion of the Customs Collector, be necessary for the purposes of these rules, and in particular, the Customs Collector may require such additional information in respect of the following matters, namely:—

(i) the description of the goods,

(ii) the name of the registered manufacturer, his registration number and the name of the Chief Customs Officer by whom he has been registered,

(iii) the particulars of any brand or trade mark attached to the goods, and

(iv) specification, if any, of the imported materials.

(2) No drawback shall be allowed unless the statements furnished by the registered manufacturers as required under Rule 5(3) are found to be correct after due verification by one or more officers of the Central Government specially authorised in this behalf by the authorised Chief Customs Officer.

7. **Powers of Customs Collector.**—For the purposes of enforcing these rules, the Chief Customs Officer or the Customs Collector may—

(a) require a registered manufacturer to produce any books of account or other documents of whatever nature relating to the use of the imported materials in the manufacture of the goods,

(b) require the production of such certificates, documents or other evidence in respect of each claim for the drawback as may be necessary.

8. **Access to manufactory.**—A registered manufacturer of the goods in respect of which a drawback is claimed shall give access to every part of his manufactory to an officer of the Central Government specially authorised in this behalf by the authorised Chief Customs Officer to enable such officer to inspect the processes of manufacture and to verify by actual check or otherwise the statements made in support of the claim for drawback.

[No. 57.]

[No. 34/21/55-Cus.IV.]

W. SALDANHA, Dy. Secy.

ORDER

STAMPS

New Delhi, the 21st July 1956

S.R.O. 1670.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the whole of the stamp duty with which the lease deed to be executed in favour of Mr. Richard M. Kirby of the Embassy of the United States, of America in India in respect of the upper flat of 107 Sundar Nagar, New Delhi, is chargeable under the said Act.

[No. 10.]

[No. 8/8/56-Stamps.]

M. R. RAMACHANDRAN, Under Secy.

CGRRIGENDUM

New Delhi, the 21st July 1956

S.R.O. 1671.—In the notification of the Government of India in the Ministry of Finance (Revenue Division), No. 18-Customs, dated the 28th April 1956, published as S.R.O. 967 in the Gazette of India, Part II, Section 3 of the 28th April 1956, for "B-22/55×26" read "B-22/25×26".

[No. C2.]

M. A. RANGASWAMY, Dy. Secy.

CENTRAL BOARD OF REVENUE

CUSTOMS

New Delhi, the 21st July, 1956

S.R.O. 1672.—In exercise of the powers conferred by section 11 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue hereby directs that the following further amendments shall be made in its notification No. 27-Customs, dated the 12th July, 1930, namely :—

In the Schedule annexed to the said notification—

(1) after the entries relating to wharf No. 9, the following entries shall be inserted in columns 1 to 6, namely :—

Do	9A	Do	85 yards East to West on the Northern Bank of Kokinada River From the Western limit of Wharf No. 9 and Eastern limit of Wharf No. 10.	Iron Ore	Landing & shipping.
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(2) after the entries relating to wharf No. 10, the following entries shall be inserted in columns 1 to 6, namely :—

Do	10A	Do	88 yards from East to West from the Eastern limits of goods shed.	Iron Ore	Landing & shipping.
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(3) after the entries relating to wharf No. 12A, the following entries shall be inserted in columns 1 to 6, namely :—

Do 12B Do	33 yards from East to West from the Western limits of Post Office Fence.	Iron Ore	Landing & shipping.
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(4) after the entries relating to wharf No. 30, the following entries shall be inserted in columns 1 to 6, namely :—

Do 30A Do	267 yards from East to West on the Southern Bank from the Western Limit of Salt Factory Fence.	Iron Ore	Landing & shipping.
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[No. 61.]

S. K. BHATTACHARJEE, Secy,

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 17th July 1956

S.R.O. 1673.—ESS.COMM/IRON & STEEL-2(c)/AM(4).—In exercise of the powers conferred by sub-clause (c) of clause 2 of the Iron and Steel (Control) Order, 1956, the Central Government is pleased to direct that the following further amendment shall be made to the Notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 112/ESS. COMM/IRON & STEEL-2(c), published in the Gazette of India, Part 11, Section 3, dated the 12th May, 1956, as amended from time to time, namely:—

In the Schedule annexed to the said notification, in Column 2 thereof, against BHOPAL, for the entry—

“3. Development Commissioner, Government of Bhopal, Bhopal.”,
the following entry shall be substituted, namely:—

“3. Deputy Development Commissioner, Government of Bhopal, Bhopal.”.

[No. IS(A)-4(253)II.]

P. S. V. RAGHAVAN, Under Secy.

COFFEE CONTROL

New Delhi, the 17th July 1956

S.R.O. 1674.—In exercise of the powers conferred by section 48 of the Coffee Act, 1942 (7 of 1942), the Central Government hereby makes the following amendment in the Coffee Rules, 1955, namely:—

In clause (c) of rule 38 of the said Rules, for the word “three”, the word “four” shall be substituted.

[No. 15(2)Plant/56.]

P. V. S. SARMA, Dy. Secy.

New Delhi, the 18th July 1956

S.R.O. 1675.—In exercise of the powers conferred by section 3, read with sub-section (2) of section 16, of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following further amendment in the Cotton Textile (Control) Order, 1948, namely:—

In the said Order—in sub-clause (3) of clause 12, for the date “20-6-56”, the date “31st August 1956” shall be substituted.

[File No. 9(13)-C.T.(C)/56.]

M. P. ALEXANDER, Under Secy.

Bombay the 20th July 1956

S.R.O. 1676.—In exercise of the powers conferred by the Proviso to Explanation I to sub-section (1) of Section 3 of the Dhuties (Additional Excise Duty) Act, 1953 (39 of 1953), the Central Government hereby makes the following amendment in their notification No. S.R.O. 1592, dated the 28th June 1952, namely:—

In the said notification, for the words "Madras Spinning and Weaving Mills Ltd., Madras" the words "The Edward Textiles Ltd., Madras Unit" shall be substituted.

[No. TCS.I/X-161C.]

K. K. SETHI, Under Secy.

New Delhi, the 21st July 1956

S.R.O. 1677.—In exercise of the powers conferred by sub-section (1) of section 50 of the Tea Act, 1953 (29 of 1953), the Tea Board hereby makes the following further amendment in the Tea Board By-laws, 1955, published with the notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 1390, dated the 22nd June, 1955, the said amendment having been confirmed by the Central Government as required by sub-section (2) of the said section, namely:—

In the said By-laws, after by-law 26, the following shall be inserted, namely:—

"26A. *Grant of advances for the purchase of motor car, motor cycle and bicycle.*—Advances for the purchase of motor car, motor cycle and bicycle may be granted to the officers and employees who are in permanent employ of the Board at such rates and conditions as may be admissible to officers and employees holding comparable posts under the Central Government in accordance with the rules of the Central Government for the time being in force. Subject to the concurrence of the Central Government, permanent Government servants on deputation to the Board will also be eligible to the grant of such advances from the Board in accordance with the aforesaid rules and orders. The grant of advances is subject to the availability of funds under the head 'Advances recoverable bearing interest'."

[No. 32(5)Plant(A)/54.]

P. V. RAMASWAMY, Under Secy.

ORDER*New Delhi, the 24th July 1956*

S.R.O. 1678/IDRA/6/1/Am(8).—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby directs that the following amendment shall be made in the Order of the Government of India in the Ministry of Commerce and Industry S.R.O. 353/IDRA/6/1, dated the 1st February 1955, establishing the Development Council for the group of scheduled industries engaged in the manufacture and production of telephones, telegraph apparatus and wireless communication apparatus, electric lamps, electric fans, batteries dry cells and storage, radio receivers and house service meters and panel instruments, namely:—

In paragraph 1 of the said Order, under the category of members "being persons who in the opinion of the Central Government have special knowledge of matters relating to the technical or other aspects of the group of the said scheduled industries," for entry "7 Scientific Adviser, Ministry of Defence, New Delhi", the following entry shall be substituted, namely:—

"7. Dr. B. N. Singh, Principal Scientific Officer (Air), Defence Service Organisation, Ministry of Defence, New Delhi."

[No. 5(11)IA(GB)/56.]

D. N. KRISHNAMURTHY, Under Secy.

CORRIGENDUM

New Delhi, the 28th July 1956

S.R.O. 1679.—In the Government of India, Ministry of Commerce and Industry Notification No. S.R.O. 1199, dated the 26th May, 1956, published in Part II Section 3 of the Gazette of India, dated the 26th May, 1956.

(i) In the preamble, for "sub-clause (4)", read "sub-clause (7)".

(ii) for sub-clauses "(5)", "(6)" and "(7)", read "(8)", "(9)" and "(10)" respectively.

(iii) In sub-clauses (9) and (10) as so corrected, for "sub-clause (5)", read "sub-clause (8)".

[No. 8(3)-CT(A)/55-9.]

V. V. NENE, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE

New Delhi, the 14th July 1956

S.R.O. 1680.—In exercise of the powers conferred by Section 4(4)(v) of the Indian Lac Cess Act, 1930 (XXIV of 1930), the Central Government is pleased to renominate Pandit Binoda Nand Jha, M.L.A., Ward No. 12, Deoghar, District Santhal Parganas, as a member of the Governing Body of the Indian Lac Cess Committee to represent the cultivators of lac in Bihar for a further term of 3 years with effect from the 1st October, 1956.

[No. 4-3/56-Com.I.]

New Delhi, the 16th July 1956

S.R.O. 1681.—In exercise of the powers conferred by Section 4(5)(viii) of the Indian Lac Cess Act, 1930 (XXIV of 1930), the Central Government is pleased to renominate the following persons as members of the Advisory Board of the Indian Lac Cess Committee for a further term of 3 years with effect from the 1st October, 1956, when their present term expires:—

1. Dr. S. K. Mitra, D.Sc., Ghosh Professor and Head of the Department of Physics, Calcutta University.
2. Dr. Sadgopal, Officer-in-Charge, Chemistry of the Forests Products Branch, Forest Research Institute, Dehra Dun.

[No. 4-4/56-Com.I.]

S.R.O. 1682.—In pursuance of the provisions of Sub-Section (e) of Section 4 of the Indian Oilseeds Committee Act, 1946 (IX of 1946), the State Government of Hyderabad have renominated the "Oilseeds, Specialist, Agriculture Department, Rajendranagar" as a member of the Indian Central Oilseeds Committee, with effect from the 1st April, 1956 for a term of one year.

[No. 6-3/56-Com.I.]

S.R.O. 1683.—In pursuance of the provisions of Sub-Section (f) of Section 4 of the Indian Oilseeds Committee Act, 1946 (IX of 1946), the State Government of Hyderabad have renominated Shri Ramchandra Rao Jange of Gulbarga and nominated Shri D. Pulla Reddy, Vakil of Devarkonda, as members of the Indian Central Oilseeds Committee, with effect from the 1st April, 1956 for a term of one year.

[No. 6-4/56-Com.I.]

New Delhi, the 18th July, 1956.

S.R.O. 1684.—Under Section 4(viii) of the Indian Cotton Cess Act, 1923 (XIV of 1923) the Central Government are pleased to re-nominate/nominate the following persons, to be members of

the Indian Central Cotton Committee, Bombay, to represent the Cotton growing industry in the State noted against each of them, with effect from the 1st April, 1956.

S. No.	Name and address	State
1.	Shri Digambar Singh M.P., Kurusanda, District Mathura, Uttar Pradesh	Uttar Pradesh.
2.	Kunwar Kushal Singh, Ayadnagar House, Begambagh, Meerut, Uttar Pradesh	Uttar Pradesh.
3.	Shri N. S. Patil, M.L.A., 6th Lane, Dhulia, District, West Khandesh, Bombay	Bombay.

[No. F.1-42/56-Con.II.]

MOKAND LALL, Under Secy.

New Delhi, the 17th July 1956

S.R.O. 1685.—In exercise of the powers conferred by sub-section (3) of section 1 of the Agricultural Produce (Development and Warehousing) Corporations Act (28 of 1956), the Central Government hereby appoints the 1st day of August 1956 as the date on which the said Act shall come into force.

[No. 1-11/56-Coop.I.]

S. T. RAJA, Joint Secy.

MINISTRY OF HEALTH

New Delhi, the 13th July 1956

S.R.O. 1686.—The following draft of further amendments to the Prevention of Food Adulteration Rules, 1955, which the Central Government after consultation with the Central Committee for Food Standards, propose to make in exercise of powers conferred by sub-section (2) of section 4 and sub-section (1) of section 23 of the Prevention of Food Adulteration Act, 1954 (37 of 1954), is published, as required by sub-section (1) of section 23 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 20th August, 1956.

Any objection or suggestion which may be received from any persons with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

1. For sub-rule (6) of rule 4, the following sub-rule shall be substituted, namely:—

“(6) The fees payable in respect of such a certificate shall be Rs. 40 per sample of food analysed.”

2. After rule 12, the following rule shall be inserted, namely:—

“12-A. Warranty: Every trader selling an article of food shall, if the purchaser so requires, deliver to the purchaser a warranty in Form VI-A”.

3. In the table under rule 22, after item 15 relating to “Aerated water” the following item shall be inserted, namely:—

16 Vanaspati 16oz.

4. For rule 26, the following rule shall be substituted, namely:—
 “26. *Natural colouring matter which may be used.*—The following natural colouring principles, whether isolated from natural colours or produced synthetically, may be used in or upon any article of food:
 (a) Cochineal or Carmine.
 (b) Carotin and Carotenoids.
 (c) Chlorophyll.
 (d) Lactoflavin.
 (e) Caramel.
 (f) Annatto.”
5. For rule 28, the following rule shall be substituted, namely:—
 “28. *Coal Tar dyes which may be used.*—No coal tar dyes except the following shall be used in foods:

Colour	Common name	Colour Index	Chemical class
1 Red	Ponceau. 4R	185	Azo
	Carmoisine	179	”
	Red 6B	57	”
	Red FB	225	”
	Acid Magenta II	692	Triphenylmethane
	Fast Red E	182	Azo
2 Yellow	Tartrazine	640	Pyrazolone
	*Sunset Yellow FCF	..	Azo
3 Blue	Blue VRS	672	Triphenylmethane
	Indigo Carmine	1180	Indigoid
4 Black	Brilliant Black BN	..	Bisazo
	*F. D. & C. No. 6		

6. For rule 29, the following rule shall be substituted, namely:—
 “29. *Use of permitted coal tar dyes prohibited.*—Use of permitted coal tar dyes in or upon any food other than those enumerated below is prohibited:
 (a) Ice-cream including mixed ice-cream.
 (b) Dairy products except milk, dahi, butter, ghee, chhana, condensed milk, cream and baby foods.
 (c) Smoked fish.
 (d) Egg preparations.
 (e) Biscuit, pastry, confectionery and sweets.
 (f) Fruit products.
 (g) Non-alcoholic beverages except tea, cocoa and coffee.
 (h) Custard powder.
 (i) Jelly crystals.
 (j) Soup powder.”
7. For rule 30, the following rule shall be substituted, namely:—
 “30. *Maximum limit of permissible colours.*—The maximum limit of any permitted coal tar colours or a mixture of permitted coal tar colours which may be added to any food shall not exceed 1.5 grains per pound of food.”
8. For rule 32, the following rule shall be substituted, namely:—
 “32. *Contents of the label.*—Unless exempted by the Act or any of the rules thereunder, every label shall include:
 (a) the name, trade name or description of food contained in the package;
 (b) the name and business address of the manufacturer or importer or vendor or packer;

- (c) where any permissible preservative and/or flavouring and/or colouring agent is present, a declaration to the effect that it contains permitted preservative, permitted flavouring, permitted colouring agents;
- (d) the net weight or number or measure or volume of contents as the case may require; and
- (e) a batch number or code number.

Provided that in respect of a package containing not more than one ounce of tea, or two pieces of biscuits, confectioneries and sweets, individually wrapped and placed in large containers, all the particulars required under this rule need not be declared on each individual label or wrapper."

9. For rule, 33, the following rule shall be substituted, namely:—

"33. *Declaration and the contents of the label to be printed.*—The declaration and the contents of the label required under these rules shall be printed:

- (i) in English in respect of products imported from abroad; and
- (ii) in English and Hindi (in Devnagari script) in respect of products of Indian origin."

10. To rule 37, the following proviso shall be added, namely:—

"Provided that this rule shall not apply in respect of established trade or fancy names of confectionery, biscuits and sweets, such as Barley Sugar, Bulls Eye, Cream Cracker."

11. Rule 40 shall be renumbered as sub-rule (1) thereof and after sub-rule (1) as so renumbered the following sub-rule shall be inserted, namely:—

"(2) Any beverage which does not contain at least ten per centum of fruit juice in its composition shall not be described as a fruit syrup, fruit juice, squash or cordial or crush and shall be described as a synthetic syrup. Every synthetic syrup shall be clearly and conspicuously marked on the label as a "SYNTHETIC" product, and no container containing such product shall have a label, whether attached thereto or printed on the wrapper of such container, or, otherwise, which may lead the consumer into believing that it is a fruit product. Neither the word "FRUIT" shall be used in describing such a product, nor shall it be sold under the cover of a label which carries picture of any fruit. Aerated water containing no fruit juice or pulp shall not have a label which leads the consumer into believing that it is a fruit product."

12. Sub-rules (ii) and (iii) of rule 42(A) shall be omitted.

13. In rule 42(B)(f) the word 'cream' in the form of declaration shall be omitted.

14. In rule 42(B)(iii) the words "or cream milk" occurring after the words "skimmed milk" shall be omitted.

15. In rule 43 after sub-rule (4) the following sub-rule shall be inserted, namely:—

"(5) Nothing contained in this rule shall apply in the case of sweets, confectionery, biscuits bakery products, processed fruits and vegetables; but whenever permitted preservatives or flavouring or colouring matter is added extraneously, such addition shall be mentioned."

16. In rule 44—

(a) for sub-rule (g) the following sub-rule shall be substituted, namely:—

"(g) any article of food which contains any artificial sweetner except saccharin, or in the preparation of which any such artificial sweetner has been used."

(b) after sub-rule (h) the following sub-rule shall be inserted, namely:—

"(i) mixture of coffee and any other substance except chicory."

17. For rule 47, the following rule shall be substituted, namely:—

*"47. Addition of Saccharin to be mentioned on the label.—*Saccharin may be added to any food if the container of such food is labelled with an adhesive declaratory label, which shall be in the form given below:

Thiscontains an admixture of not more than.....grains

(Name of food)

of saccharin per pound."

18. After rule 48, the following rule shall be inserted, namely:—

"48-A. Sale of permitted food colours:

(i) No person shall import or sell coal tar dyes, or their mixtures or any preparation of such colours for use in or upon food, except under a licence.

(ii) No person shall sell a permitted coal tar dye for use in or upon food unless its container carries a label stating the following additional particulars:

(a) the words "Food Colours",

(b) the common name of the dyestuff.

(iii) No person shall sell a mixture of permitted coal tar dyes for use in or upon food unless its container carries a label stating the following additional particulars:

(a) the words "Food Colour Mixture",

(b) the common name of the dyestuffs contained in the mixture.

(iv) No person shall sell a preparation of permitted coal tar dyes for use in or upon food unless its container carries a label stating the following additional particulars:

(a) the words "Food Colour Preparation",

(b) the name of the various ingredients used in the preparation."

19. The following proviso shall be added to sub-rule (5) of rule 49, namely:—

"Provided that nothing contained in clause (iii) shall apply in respect of sugar and confectionery industry."

20. In rule 50—

(i) in sub-rule (1) item (g) relating to "waste ghee" shall be omitted.

(ii) in item (k) of sub-rule (1) for the words and brackets "(except the food products covered under Fruit Products Order)" the following shall be substituted, namely:—

"except vegetable oil products or vanaspati manufactured, stocked, sold or distributed by factories licensed for the purpose".

(iii) Sub-rule (6) shall be omitted.

(iv) in sub-rule (12) after the word "manufacturer" the words and brackets "(including ghani operator)" shall be inserted.

21. In Form I in Appendix A, for "Magistrate"—"Magistrate 1st Class/Presidency Magistrate" shall be substituted.

22. In para. 2 in Form VII in Appendix A, the word "registered" shall be omitted.

23. In Appendix A, the following Form VIA shall be inserted, namely:—

“FORM VIA

(See rule 12-A)

Form of Warranty

Invoice No.....	Place.....
From.....	Date.....
To.....	

Date of sale	Nature & quality of article	quantity	Price
1	2	3	4

I/We hereby certify that the food/foods mentioned in this invoice is/are warranted to be pure, to be in accordance with the description and to comply with the requirements of the Prevention of Food Adulteration Act, 1954 (No. 37 of 1954), and the rules made thereunder.

Signature and address of
Supplier/suppliers.”

24. In Appendix B, for items A.03.01, A.04, A.08.03, A.11.02, A.11.10 and A.12, the following shall be respectively substituted:

“A.03.01. Arrow Root means the separated and purified starch from the rhizomes of the plants known as *Maranta arundinacea* or from *Curcuma angustifolia*.”

“A.04. Asafoetida or Hing means the Oleo-gum-resin obtained from the rhizome and root of *Ferula alliacea*, *Ferula rubricaulis* and other species of *Ferula*. It shall contain no sand, gravel, or other foreign mineral matter, colophony resin, galbanum resin, ammoniacum resin or any other foreign resin. The ash shall not exceed 15 per cent of its weight; and the alcoholic extract (with 90 per cent. alcohol) shall be not less than 25 per cent.

Compounded Asafoetida or Bandani Hing is composed of one or more varieties of Asafoetida (Irani and/or Pathani Hing) gum arabic and wheat flour. It shall not contain sand, gravel or other foreign mineral matter, colophony resin, galbanum resin, ammoniacum resin or any other foreign resin. The ash content shall not exceed 10 per cent. of its weight and the alcoholic extract (with 90 per cent. alcohol) shall not be less than 10 per cent. Use of coal tar dyes or mineral pigment is prohibited.”

“A.08.03. Coffee Chicory mixture or Coffee mixed with chicory or Coffee and chicory shall be pure ground coffee mixed with roasted and ground chicory and shall be in sound, dry and dust free condition with no rancid or abnoxious flavour.

Any tin or other receptacle containing a mixture of coffee and chicory shall not bear any misleading expression.

The expression “French Coffee” may be used if followed by the words “mixed with chicory” or “blended with chicory”.

“A.11.02. Skimmed milk, either fresh or reconstituted, means milk from which all, or most of the milk fat has been removed by mechanical or any other process and includes “separated milk” or ‘machine skimmed milk’. The milk solids other than milk fat shall be not less than 8.5 per cent.”

“A.11.10. Cream means that portion of milk rich in milk fat which has risen to the surface of milk on standing and has been removed or which has been separated from milk by Centrifugal force. It shall contain not less than 23 per

cent. of milk fat and shall not contain any added substance. The fat separated from cream shall conform to the specification prescribed for ghee."

"A.12. Margarine means any article of food which resembles butter in consistency, appearance and moisture content. It shall contain at least 80 per cent. of vegetable oils, or of a mixture of vegetable oils with hydrogenated vegetable oils, and not more than 16 per cent moisture. It shall contain not less than 5 per cent of its weight of till oil."

25. In Appendix B, in item A.14. for the words "from the leaves and buds of plants" the words "from the leaves, buds and tender stems of plants" shall be substituted.

[No. PFA/F.14-31(A)/56-PH.]

New Delhi, the 14th July 1956

S.R.O. 1687.—In exercise of the powers conferred by sub-section (2) of section 4 and sub-section (1) of section 23 of the Prevention of Food Adulteration Act, 1954 (37 of 1954), the Central Government, after consultation with the Central Committee for Food Standards, hereby makes the following amendments to the Prevention of Food Adulteration Rules, 1955, the same having been previously published as required by sub-section (1) of section 23 of the said Act, namely:—

1. Further Amendment

After Part IX of the said rule the following shall be added as Part X, namely:—

PART X—PRESERVATIVES

52. Definition of Preservative.—Preservative means a substance which when added to food, is capable of inhibiting, retarding or arresting the process of fermentation, acidification or other decomposition of food.

53. Classification of Preservatives.—Preservatives shall be divided into following classes:

(i) Class I Preservative shall be -

- (a) Common Salt,
- (b) Sugar,
- (c) Dextrose,
- (d) Glucose,
- (e) Wood smoke,
- (f) Spices,
- (g) Vinegar or acetic acid,
- (h) Honey,
- (i) Hops,
- (j) Commercial salt petre, and
- (k) Alcohol or potable spirits.

Addition of Class I Preservatives in any food in any proportion is not restricted.

(ii) Class II Preservative shall be

- (a) Benzoic acid including salts thereof,
- (b) Sulphurous acid including salts thereof, and
- (c) Nitrites of Sodium or Potassium in respect of food like ham, pickled meat,

54. Use of more than one Class II Preservative prohibited.—No person shall use in or upon a food more than one Class II Preservative.

55. **Use of Class II Preservatives restricted.**—The use of Class II Preservatives shall be restricted to the following group of foods in concentration not exceeding the proportions given below against each:—

Article of food	Preservative	Parts per million
1	2	3
1. Sausages and sausage meat containing raw meat, cereals and condiments	Sulphur dioxide.	450
2. Fruit, fruit pulp or juice (not dried) for conversion into jam or crystallised glaze or cured fruit or other products.		
(a) Cherries	Do.	3,000
(b) Strawberries & raspberries	Do.	2,000
(c) Other fruits	Do.	1,000
3. Fruit juice concentrate	Do.	1,500
4. Dried fruits—		
(a) Apricots, peaches, apples, pears and other fruits	Do.	2,000
(b) Raisins and sultanas	Do.	750
5. Other non-alcoholic wines, cordials, fruit juices, and beverages sweetened and unsweetened.	Sulphur dioxide or Benzoic acid	350
6. Jam, Marmalade, preserve, canned cherry and fruit jelly	Sulphur dioxide or Benzoic acid	600
7. Crystallised glaze or cured fruit (including candied peel)	Benzoic acid	40
8. Fruit and fruit pulp not otherwise specified in this schedule	Sulphur-dioxide	200
9. Sugar, glucose, Gur and Khandsari	Do.	150
10. Corn flour and such like starches	Do.	350
11. Corn syrup	Do.	70
12. Gelatine	Do.	200
13. Beer	Do.	450
14. Cider	Do.	70
15. Alcoholic wines	Do.	120
16. Sweetened mineral water	Do.	450
17. Brewed ginger beer	Sulphur-dioxide or Benzoic acid	70
18. Coffee extract	Benzoic acid	120
19. Pickles and chutney made from fruit or vegetables	Benzoic acid	450
20. Tomato and other sauces	Do.	250
21. Cooked pickled meat including ham and bacon	Do.	750
	Sodium or potassium nitrite.	Not more than 200 p.p.m. (calculated as sodium nitrite).
22. Danish tinned Caviar	Benzoic acid	50
23. Dehydrated vegetables	Sulphur dioxide	2,000
24. Tomato purée and paste	Benzoic acid	250
25. Syrups and sherbats	Sulphur dioxide or Benzoic acid	600
26. Dried ginger	Sulphur dioxide	2,000

56. **Container of food which contains preservative not to be marked "Pure".**—The word "Pure" shall not be used on the label of the container of any food which contains preservative.

2. The following shall be added in Appendix 'B'.

A.05.07. Black Pepper or Pepper Corn means the sound fruit of *Piper nigrum* having the characteristic appearance and shall conform to the following standards:

- Deteriorated fruits and any extraneous matter shall not exceed 3 per cent.
- Light berries shall not exceed 5 per cent.
- Total non-volatile ether extract shall be not less than 7 per cent.
- Total starch content shall be not less than 30 per cent.

(e) Total ash content shall not exceed 8 per cent., and

(f) Ash insoluble in HCl shall not exceed 1.5 per cent.

A.05.08. Ginger means the washed and dried or the decorticated and dried rhizome of *Zingiber officinale* and shall be free from damage from insect pests. Sulphur dioxide may be used as a preservative. It shall conform to the following analytical standards:

- (a) Alcohol (90 per cent) soluble extract . . . Not less than 4.5 per cent.
- (b) Ash Not more than 7.0 per cent.
- (c) Water soluble ash Not less than 1.7 per cent.
- (d) Cold water soluble extract Not less than 10.0 per cent.

A.05.09. Cardamom: "Lesser Cardamom" or Chota Illaychi means the dried nearly ripe fruit of *Electaria cardamomum*. It shall not contain more than 5 per cent of damaged seed or extraneous matter and shall be free from sand, earth, dirt and admixture by substituted seeds. It shall contain not less than 3.5 per cent of volatile oil. The total ash content shall not exceed 8 per cent and ash insoluble in hydrochloric acid 3 per cent.

"Greater Cardamom"—Bara Illaychi shall be the dried, nearly ripe fruit of the various species of the genus *Amomum* and shall contain not less than 1.0 per cent of volatile essential oils. The total ash content shall not exceed 8 per cent and ash insoluble in hydrochloric acid 3 per cent.

A.05.10. Chillies (*Capsicum*) means the dried, ripe fruits of the genus *Capsicum* and may contain brownish yellow flat seeds and shall be free from sand, earth, or dirt. It shall be free from infestation, extraneous colouring matter, oil and other foreign substances or substitutes. It shall contain—

- (a) not more than 3.0 per cent of calces and pedicles,
- (b) not more than 1.0 per cent foreign organic matter,
- (c) not more than 8.0 per cent total ash,
- (d) not more than 1.25 per cent ash insoluble in hydrochloric acid,
- (e) not more than 30 per cent crude fibre,
- (f) not less than 12 per cent non-volatile ether extract.

A.05.11. Aniseed or Saonf is the dried, ripe fruit of *Pimpinella anisum*. It shall have the characteristic appearance and shall be free from sand, earth, dirt and admixture by substituted seeds. It shall not contain:—

- (a) more than 5 per cent of foreign seeds or matter,
- (b) more than 9 per cent of total ash,
- (c) more than 1.5 per cent of ash insoluble in hydrochloric acid,
- (d) less than 2 per cent volatile oil.

A.05.12. Fennel Fruit (or seeds) or Sowa means the dried, ripe fruit of cultivated plants of *Foeniculum vulgare*. The fruit shall be sound and free from sand, earth, or other dirt and shall not contain—

- (a) more than 4 per cent of foreign organic matter, seeds or stalks,
- (b) more than 9 per cent of total ash,
- (c) more than 2 per cent of ash insoluble in hydrochloric acid,
- (d) less than 4 per cent of volatile oil.

A.05.13. Fenugreek (*Methi*) is the dried ripe seeds of *Trigonella foenum-graecum*. It shall not contain more than 5 per cent damaged seeds or extraneous matter and shall be free from dust, dirt, extraneous weed seeds, off smell and insects. It shall not contain—

- (a) more than 10 per cent of moisture,
- (b) more than 5 per cent of foreign organic matter,
- (c) more than 7 per cent of total ash,
- (d) more than 2 per cent of ash insoluble in hydrochloric acid,
- (e) less than 30 per cent of water soluble extract.

A.05.14. Nutmeg (Jaiphal). means the dried seed (Kernel) of the fruit of *Myristica fragrans*. It shall be sound and free from infestation and conform to the following specifications:—

- (a) not more than 5 per cent of total ash,
- (b) not more than 0.5 per cent of ash insoluble in hydrochloric acid,
- (c) not less than 25 per cent of non-volatile ether extract,
- (d) not more than 10 per cent crude fibre.

A.05.15. Mace (Jaitree) means the dried outer coat or arillus of the fruit, *Myristica fragrans* and shall not contain the arillus of any other variety of *Myristica* including *M. malabarica* or *Fatua* (Bombay Mace) and *M. argentes* (wild Mace).

It shall not contain—

- (a) more than 5 per cent of the deteriorated article or extraneous or foreign organic matter,
- (b) more than 3 per cent of total ash,
- (c) more than 10 per cent of crude fibre,
- (d) less than 20 per cent and not more than 30 per cent of non-volatile ether extract.

A.07.05. Gur or jaggery means the product obtained by boiling or processing juice pressed out of sugar cane or extracted from palmyra palm, date palm or coconut palm. It shall be free from substances deleterious to health and shall conform to the following analytical standards on dry weight basis:

- (i) total sugars not less than 90 per cent and sucrose not less than 70 per cent,
- (ii) extraneous matter insoluble in water not more than 2 per cent,
- (iii) total ash not more than 6 per cent,
- (iv) ash insoluble in hydrochloric acid, (HCl) not more than 0.5 per cent.

Gur or jaggery other than that of the liquid or semi-liquid variety, shall not contain more than 10 per cent moisture.

A.11.14. Ghee means the pure clarified fat derived solely from milk or from curds or from cream to which, no colouring matter or preservative has been added. It shall conform to the following specifications in Punjab, Uttar Pradesh, Bhopal, Vindhya Pradesh, Bihar, West Bengal (except Bishnupur) and PEPSU (except Mahendragarh):—

- (a) Butyro refractometer reading at 40°C 40.0 to 43.0
- (b) Reichert Value Not less than 28.0
- (c) Free fatty acids as oleic acid Not more than 3.0 per cent.
- (d) Moisture Not more than 0.3 per cent.

In Madras, Andhra, Travancore-Cochin, Hyderabad, Mysore, Orissa, Assam, Tripura, Manipur, Madhya Bharat, Bombay, Himachal Pradesh, Mahendragarh District of PEPSU, Madhya Pradesh (except cotton tract areas) and Rajasthan (except Jodhpur) the specifications will be the same as above except that Reichert Value shall be not less than 26.0.

In Saurashtra, Kutch, cotton tract areas of Madhya Pradesh, Jodhpur Division of Rajasthan and Bishnupur sub-division of West Bengal the Reichert Value shall be not less than 21 and the Butyro-refractometer reading at 40°C shall be between 41.5 to 45.0. The limits for Free fatty acids and moisture shall be the same as for ghee in Punjab, PEPSU etc. given above.

Explanation.—By cotton tract is meant the areas in Madhya Pradesh where cotton seed is extensively fed to the cattle.

A.16. Fruit Products

A.16.01. Fruit Juice means the unfermented and unconcentrated liquid expressed from sound, ripe fresh fruit, and with or without—

- (a) sugar, dextrose, invert sugar, or liquid, glucose, either singly or in combination.
- (b) water, peel oil, fruit essences and flavour, common salt, ascorbic acid, citric acid and permitted colours and preservative.

The acidity of the finished product calculated as citric acid shall not be less than 4 per cent in the case of pure Lemon juice or pulp and not less than 5 per cent in the case of pure lime juice but shall not exceed 3.5 per cent in the case of other juices.

A.16.02. Tomato Juice means canned or bottled, unconcentrated pasteurized juice expressed from tomato with a proportion of the pulp expressed with or without the application of heat by any method that does not add water to such juice, from whole, ripe tomatoes from which all stems and objectionable portions have been removed and with or without

- (a) salt,
- (b) sugar, or dextrose, or both added in dry form,
- (c) citric acid, malic acid or ascorbic acid,
- (d) permitted colours.

The total soluble solids W/W shall be not less than 5 per cent.

A.16.03. Fruit Syrup means sweetened fruit juice containing sugar, dextrose, invert sugar, or liquid glucose either singly or in combination, with or without—

- (a) water, peel-oil, fruit essences and flavours, common salt,
- (b) citric acid, ascorbic acid,
- (c) permitted preservative and colours.

The total soluble solids W/W shall be not less than 65 per cent.

A.16.04. Fruit Squash means the expressed juice of the sound ripe fruit with the pulp, containing sugar, dextrose, invert sugar or liquid glucose either singly or in combination and with or without—

- (a) water, peeloil, fruit essences and flavours, common salt,
- (b) citric acid, ascorbic acid,
- (c) permitted preservative and colours.

The total soluble solids W/W in the finished product shall be not less than 40 per cent.

A.16.05. Fruit Beverage or Fruit Drink means any beverage or drink which is purported to be prepared from fruit juice and water, or carbonated water, and containing sugar, dextrose, invert sugar or liquid glucose either singly or in combination and with or without—

- (a) water, peeloil, fruit essences and flavours,
- (b) citric acid, ascorbic acid,
- (c) permitted preservative and colours.

Total soluble solids W/W in the final product shall be not less than 10 per cent.

A.16.06. Tomato Sauce, Tomato Ketchup, Tomato Relish or any other expression conveying the meaning that the product so designated is a form of a tomato sauce, shall be a preparation of sound and ripe tomatoes with or without:—

- (a) sugar, salt, venegar, acetic acid, onions, spices or condiments,
- (b) citric acid, ascorbic acid,
- (c) permitted preservative and colours.

Total acidity in terms of acetic acid shall be not less than 1.2 per cent and the total soluble solids W/W not less than 25 per cent. It shall not contain any other vegetable substance.

A.16.07. Jam means the product obtained by processing fresh fruit, canned fruit, dried fruit or fruit pulp, with water, sugar, dextrose, invert sugar or liquid glucose either singly or in combination by boiling to a suitable consistency and with or without:—

- (a) citric, malic, ascorbic acid,
- (b) permitted preservative and colours,
- (c) pectin in the form of fruit juice or pulp.

The minimum soluble solids W/W shall be 60 per cent. Jam shall not contain:—

- (a) less than 45 per cent of fruit except where fruit is strawberry or raspberry when it shall contain not less than 25 per cent.
- (b) sweetening agent other than specified above,
- (c) apple or rhubarb, but it may contain in any amount that reasonably compensates for any deficiency in the natural acidity or pectin content of the fruit used in its preparation,
- (d) tartaric acid, or
- (e) extraneous pectin, agar or gelatin.

A.16.08. Jam with added pectin means the product obtained by processing fresh fruit, canned fruit, dried fruit or fruit pulp, with water, sugar, dextrase, invert sugar or liquid glucose, either singly or in combination, by boiling to a suitable consistency and with or without:—

- (a) (i) citric, malic, ascorbic acid,
(ii) lemon or lime juice,
(iii) cider vinegar;
- (b) pectin or pectinous preparation,
- (c) permitted preservative and colours.

It shall not contain less than 27 per cent of the named fruit except where such fruit is strawberry or raspberry when it shall contain not less than 15 per cent.

Total soluble solids W/W shall not be less than 60 per cent. The product shall be labelled as "Jam with added Pectin".

A.16.09. Marmalade means the product made from any combination of peel, pulp, and juice of the names citrus fruit by boiling with water, sugar, dextrose, invert sugar liquid glucose either singly or in combination, to a suitable consistency and with or without an acid ingredient in an amount that reasonable compensates for any deficiency in the natural acidity of the fruit used in its preparation, consisting of:

- (a) citric, malic, tartaric, or ascorbic acid,
- (b) lemon or lime juice,
- (c) cider vinegar.

It may contain permitted preservative and colours.

It shall not contain less than 45 per cent of the named fruit.

Total soluble solids W/W shall be not less than 60 per cent.

A.16.10. Marmalade with added Pectin means the product made from any combination of peel, pulp and juice of the named citrus fruit by boiling with water, sugar, dextrose, invert sugar or liquid glucose, either singly or in combination to a suitable consistency with or without:—

- (a) (i) citric, malic, tartaric, ascorbic acid,
(ii) lemon or lime juice,
- (b) pectin or pectinous preparation,
- (c) permitted preservative and colours.

It shall not contain less than 27 per cent of the named fruit.

Total soluble solids W/W shall be not less than 60 per cent.

The product should be labelled as "Marmalade with added Pectin".

A.16.11. Fruit Chutney means a preparation made from sound fruits and vegetables with spices, salt, onion, garlic, sugar, jaggery, vinegar or acetic acid, and shall contain not less than 50 per cent of total soluble solids W/W and permitted preservative.

A.16.12. Sauce shall be the product derived from any suitable kind and variety of fruit and vegetable which are wholesome and which shall be practically free

from insect or fungal attack or blemish affecting the quality of the fruit or vegetable. The only substances that may be added are fruit, vegetable, their pulp, juice, dried fruit, sugar, spices, salt, vinegar, acetic acid, citric acid, malic acid, onion, garlic, flavouring material and permitted preservatives and colours.

A.17. Edible Oils

A.17.01. Coconut oil (Naryal-ka-tel) means the oil expressed from copra obtained from the kernel of *Cocos nucifera* nuts. It shall be clear and free from rancidity, suspended or other foreign matter, separated water, added colouring or flavouring substances, or mineral oil. It shall conform to the following standards:

(a) Butyro-refractometer reading at 40°C	34.0 to 35.5
(b) Saponification value	250 to 260
(c) Iodine value	7.5 to 10.0
(d) Polenske value	Not less than 13.0
(e) Free fatty acid as Oleic acid	Not more than 3.0 per cent.

A.17.02. Cotton seed oil (Binola-ka-tel) means the oil expressed from clean, sound and decorticated cotton seeds (genus *Gossypium*), refined and dehydrated. It shall be clear, free from rancidity, suspended or other foreign matter, separated water, added colouring or flavouring substances, or mineral oil. It shall conform to the following standards:

(a) Butyro-refractometer	57.9 to 60.2
(b) Saponification value	190 to 198
(c) Iodine value	105 to 112
(d) Unsaponifiable matter	Not more than 1.5 per cent
(e) Free fatty acid as Oleic acid	Not more than 1.0 per cent

A.17.03. Groundnut oil (moongh-phali-ka-tel) means the oil expressed from clean and sound groundnuts (*Arachis hypogaea*). It shall be clear, free from rancidity, suspended or other foreign matter, separated water, added colouring or flavouring substances, or mineral oil. It shall conform to the following standards:

(a) Butyro-refractometer reading at 40°C	54.0 to 57.1
(b) Saponification value	188 to 196
(c) Iodine value	85 to 99
(d) Unsaponifiable matter	Not more than 1.0 per cent
(e) Free fatty acid as oleic acid	Not more than 3.0 per cent
(f) Bohier test (turbidity temperature)	39°C to 41°C

A.17.04. Linseed oil (Tisi-ka-tel) means the oil obtained by process of expressing clean and sound linseed (*Linum usitatissimum*). It shall be clear, free from rancidity, suspended or other foreign matter, separated water, added colouring or flavouring substances, or mineral oil. It shall conform to the following standards:

(a) Butyro-refractometer reading at 40°C	69.5 to 74.3
(b) Saponification value	188 to 195
(c) Iodine value	Not less than 170
(d) Unsaponifiable matter	Not more than 1.5 per cent.
(e) Free fatty acid as Oleic acid	Not more than 2.0 per cent.

A.17.05. Mahua oil means the oil expressed from clean and sound seeds or nuts of *Madhuca* (*Bassia latifolia* or *B. Longifolia* or a mixture of both). It shall be clear and shall be free from rancidity, suspended or other foreign matter, separated water, added colouring or flavouring substances, or mineral oil. It shall conform to the following standards:—

(a) Butyro-refractometer reading at 40°C	49.5 to 52.7
(b) Saponification value	187 to 196
(c) Iodine value	58 to 70
(d) Unsaponifiable matter	Not more than 2.0 per cent
(e) Free fatty acid as Oleic acid	Not more than 20.0 per cent

A.17.06. Mustard oil (Sarson-ka-tel) means the oil expressed from clean and sound mustard seeds, belonging to the *compestris*, *juncea* or *napus* varieties of *Brassica*. It shall be clear, free from rancidity, suspended, or foreign matter,

separated water, added colouring or flavouring substances or mineral oil. It shall conform to the following standards:

- (a) Butyro-refractometer reading at 40°C . . . 58.0 to 60.5
- (b) Saponification value 168 to 176
- (c) Iodine value 96 to 108
- (d) Unsaponifiable matter Not more than 1.2 per cent
- (e) Free fatty acid as Oleic acid Not more than 3.0 per cent

The test for argemone oil should be negative.

A.17.07. Olive oil means the oil expressed from the ripe olive fruit (*Olea europea*). It shall be clear, free from rancidity, suspended or other foreign matter, separated water, added colouring or flavouring substances or mineral oil. It shall conform to the following standards:

- (a) Butyro-refractometer reading at 40°C . . . 53.0 to 56.0
- (b) Saponification value 185 to 196
- (c) Iodine value 79 to 90
- (d) Unsaponifiable matter Not more than 1.0 per cent
- (e) Free fatty acid as Oleic acid Not more than 3.0 per cent

A.17.08. Poppy seed oil means the oil expressed from poppy seeds (*Papaver somniferum*). It shall be clear, free from rancidity, suspended or other foreign matter, separated water, added colouring or flavouring substances, or mineral oil. It shall conform to the following standards:

- (a) Butyro-refractometer reading at 40°C . . . 60.0 to 64.0
- (b) Saponification value 186 to 194
- (c) Iodine value 133 to 143
- (d) Unsaponifiable matter Not more than 1.0 per cent
- (e) Free fatty acid as Oleic acid Not more than 3.0 per cent

A.17.09. Safflower oil (*barrey-ka-tel*) means the oil expressed from the seeds of *Carthamus tinctorius*. It shall be clear, free from rancidity, suspended or other foreign matter, separated water, added colouring or flavouring substances, or mineral oil. It shall conform to the following standards:

- (a) Butyro-refractometer reading at 40°C . . . 62.4 to 64.7
- (b) Saponification value 186 to 196
- (c) Iodine value 135 to 146
- (d) Unsaponifiable matter Not more than 1.0 per cent
- (e) Free fatty acid as Oleic acid Not more than 3.0 per cent

A.17.10. Taramira oil means the oil expressed from clean and sound seeds of *Taramira (Eruca sativa)*. It shall be clear, free from rancidity, suspended or other foreign matter, separated water, added colouring or flavouring substances, or mineral oil. It shall conform to the following standards:

- (a) Butyro-refractometer reading at 40°C . . . 58.0 to 60.0
- (b) Saponification value 174 to 177
- (c) Iodine value 99 to 105
- (d) Unsaponifiable matter Not more than 1.0 per cent
- (e) Free fatty acid as Oleic acid Not more than 3.0 per cent

A.17.11. Til Oil (*Gingelly* or *sesame oil*) means the oil expressed from clean and sound seeds of Til (*Sesamum indicum*), black, brown, white, or mixed. It shall be clear, free from rancidity, suspended or other foreign matter, separated water, added colouring or flavouring substances, or mineral oil. It shall conform to the following standards:

- (a) Butyro-refractometer reading at 40°C . . . 58.0 to 61.0
- (b) Saponification value 188 to 193
- (c) Iodine value 105 to 115
- (d) Unsaponifiable matter Not more than 1.5 per cent
- (e) Free fatty acid as Oleic acid Not more than 3.0 per cent

A.17.12. Niger Seed Oil (*Sargiya-ka-tel*) means the edible oil obtained by process of expressing clean and sound seeds of *Guizotia abyssinica*. It shall be clear and free from rancidity, suspended or other foreign matter, separated water, added colouring or flavouring substances, mineral or other oil. It shall conform to the following standards:

- (a) Butyro-refractometer reading at 40°C . . . 61.0 to 65.0
- (b) Saponification value 188 to 193
- (c) Iodine value 125 to 135
- (d) Unsaponifiable matter Not more than 1.0 per cent
- (e) Free fatty acids as Oleic acid Not more than 3.0 per cent
- (f) Bellier test (turbidity temperature) . . . 25°C to 26°C

A.18. Cereals

A.18.01. Atta means the coarse product obtained by milling or grinding wheat and sieving it. It shall contain not more than 2.5 per cent of ash and not less than 7 per cent of gluten both calculated on dry weight basis. It shall be free from grit and the alcoholic acidity (with 90 per cent alcohol) shall not exceed 0.1 per cent expressed as sulphuric acid (H_2SO_4).

A.18.02. Maida means the fine product made by milling or grinding wheat and bolting or dressing the resulting wheat meal. It shall contain not more than 1 per cent of ash and not less than 8.0 per cent of gluten both calculated on dry weight basis. The alcoholic acidity (with 90 per cent alcohol) shall not exceed 0.1 per cent, expressed as sulphuric acid (H_2SO_4).

A.18.03. Semolina (Suji) is the food prepared from wheat by the process of grinding and bolting to such a degree of fineness that it passes through a No. 20 Sieve and not more than 3 per cent passes through a No. 100 Sieve. It shall be free from grit and insect infestation, musty smell and off-odour and should be creamy yellow in colour.

It shall contain:

- (a) not more than 1 per cent. of total ash;
- (b) not more than 13.5 per cent of moisture.
- (c) not less than 6.0 per cent of gluten.

A.19. Vegetable Oil Product or Vanaspati means any refined edible vegetable oil or oils, subjected to a process of hydrogenation in any form. It shall be prepared by hydrogenation of groundnut oil, cotton seed oil and sesame oil or mixtures thereof or any other harmless vegetable oils allowed by the Government for the purpose. It shall conform to the standards specified below:

- (i) It shall not contain any harmful colouring, flavouring or any other matter deleterious to health.
- (ii) No colour shall be added to hydrogenated vegetable oil unless so authorised by Government, but in no event any colour resembling the colour of ghee shall be added.
- (iii) If any flavour is used, it shall be distinct from that of ghee, in accordance with a list of permissible flavours and in such quantities as may be prescribed by Government.
- (iv) It shall not have moisture exceeding 0.25 per cent.
- (v) The melting point as determined by the capillary slip method shall be from 33°C to 37°C, both inclusive.
- (vi) The Butyro-refractometer reading at 40°C shall not be less than 48.
- (vii) It shall not have unsonifiable matter exceeding 1.25 per cent.
- (viii) It shall not have free fatty acids (calculated as Oleic acid) exceeding 0.25 per cent.
- (ix) The product on melting shall be clear in appearance and shall be free from staleness or rancidity, and pleasant to taste and smell.
- (x) It shall contain raw or refined sesame (til) oil not less than 5 per cent by weight, but sufficient so that when the Vegetable Oil Product is mixed with refined groundnut oil in the proportion of 20 : 80, the red colour produced by the Baudouin test shall not be lighter than 2.0 Red units in a 1 cm. cell on a Lovibond scale.
- (xi) It shall contain not less than 700 I.U. of synthetic Vitamin 'A' per ounce.

A.20. Vinegar means a liquid derived from alcoholic and acetous fermentation of any suitable medium such as fruits, malt, molasses, sugarcane juice, etc.

Vinegar shall conform to the following standards:

1. It shall contain at least 3.75 grammes of acetic acid per 100 ml.
2. It shall contain at least 1.5 per cent W/V of total solids and 0.18 per cent of ash.

3. It shall not contain (i) sulphuric acid or any other mineral acids, (ii) lead or copper, (iii) arsenic in amounts exceeding 1.5 parts per million, and (iv) any foreign substance or colouring matter except caramel.

4. Malt vinegar, in addition, shall have at least 0.05 per cent of phosphorus pentoxide (P_2O_5) and 0.04 per cent of nitrogen.

Brewed vinegar shall not be fortified with acetic acid.

Synthetic vinegar shall be distinctly labelled as "synthetic" and shall state on label "prepared from acetic acid".

A.21. Catechu (Edible) shall be the dried aqueous extract prepared from the heart-wood of *Acacia catechu*. It shall be free from infestation, sand, earth or other dirt and shall conform to the following standards:

- (a) 5 ml. of 1 per cent aqueous solution, and 0.1 per cent solution of ferric ammonium sulphate shall give a dark green colour, which on the addition of sodium hydroxide solution shall change to purple.
- (b) When dried to constant weight at 100°C, it shall not lose more than 12 per cent of its weight.
- (c) Water insoluble residue (dried at 100°C) shall not be more than 25 per cent by weight.
- (d) Alcohol insoluble residue in 90 per cent alcohol dried at 100°C, not more than 30 per cent by weight.
- (e) Total ash on dry basis—not more than 8 per cent by weight.
- (f) Ash insoluble in HCl not more than 0.5 per cent on dry weight basis.

A.22. Gelatin shall be the purified air-dried product obtained by extraction with hot water, of certain tissues such as, skin, ligaments and bones of slaughtered healthy animals. It shall be colourless, transparent, odourless, in brittle sheets or in vitreous shreds, shall be free from objectionable taste and odour and from pathogenic bacteria and shall not contain any added colour, dyes of the inorganic group or coal tar dyes; shall not contain poisonous metals above the permissible limit; shall be completely soluble in acetic acid and insoluble in 90 per cent alcohol and ether; shall dissolve in water (1 in 50) and solidify to a jelly on cooling.

It shall not contain:

- (a) more than 15 per cent moisture;
- (b) more than 3.25 per cent of total ash;
- (c) more than 350 parts per million of sulphur dioxide;
- (d) less than 15 per cent of nitrogen on dry weight basis.

Gelatin meant for human consumption should be labelled as "Edible Gelatin".

A.23. Mustard seed means the dried, ripe seed of *Brassica nigra*, *Brassica Juncea* and other allied cultivated varieties of the species belonging to the natural order Cruciferae and to the genus *Sinapis* or *Brassica*. The common species are black or brown mustard (*B. nigra*), brown or serepta mustard (*B. besseriana*), white or yellow mustard (*B. alba*) and Indian mustard (*B. juncea*).

It shall not contain:

- (a) more than 5 per cent of foreign organic matter, and deteriorated or other seeds, and shall be free from insect pests. It shall be free from argemone seeds;
- (b) more than 5 per cent of total ash;
- (c) more than 1.5 per cent of ash insoluble in hydrochloric acid;
- (d) less than 0.6 per cent of volatile essential oil.

A.24. Poppy seed is the dried, ripe seed from the fruit of the Opium Poppy, *Papaver somniferum*. The seeds may be white or greyish in colour.

It shall not contain:

- (a) more than 5 per cent by weight, of other harmless foreign seeds, dust or other foreign or vegetable matter;
- (b) more than 8 per cent of total ash;
- (c) less than 40 per cent of oil.

MINISTRY OF TRANSPORT

(Roads Wing)

New Delhi, the 24th July 1956

S.R.O. 1688.—In pursuance of sub-rule (1) of Rule 48 of Order XXI of the First Schedule to the Code of Civil Procedure, 1908 (V of 1908), the Central Government hereby appoints the Officers specified in column (1) of the table below as officers to whom notices of orders attaching the salaries and allowances of the officers specified in the corresponding entries in column (2) of the said table shall be sent.

TABLE

Officers to whom notice should be sent	Officers whose salaries and allowances are attached
(1)	(2)
Accountant General, Central Revenues, New Delhi.	Gazetted Officers in the Ministry of Transport (Roads Wing), including Engineer Liaison Officers in various States.
Under Secretary (Administration), Ministry of Transport (Roads Wing).	Non-Gazetted Officers in the Ministry of Transport (Roads Wing).
Accountant General, West Bengal, Calcutta.	Gazetted Officers in the Road Test Track Majerhat, Calcutta.
Chief Engineer, Road Development, Government of West Bengal, Development (Roads) Directorate, Calcutta.	Non-Gazetted Officers in the Road Test Track, Majerhat, Calcutta.

[No. A-23 (76)/56]

H. P. MATHRANI, Consulting Engineer (Road Development and Jt. Secy.)

MINISTRY OF IRRIGATION AND POWER

ORDER

New Delhi, the 21st July, 1956

S.R.O. 1689.—In exercise of the powers conferred by sub-rule (2) of Rule 133 of the Indian Electricity Rules, 1956, the Central Government hereby directs that the provision of sub-rule (1)(a) of Rule 119 shall be relaxed in the case of the use of three 3.5 cubic yard, Marion 111-M Ward Leonard Electric Shovels, each having one G.E., 250 H.P., 3,300 volts, 3 phase, Type K, Induction Motor, Frame No. 6334, at Section 'c', Gua Iron Ore Mines of Messrs. Indian Iron & Steel Co., Ltd., to the extent that the high voltage parts of the Induction motors of the excavating machines may not be stationery while the machines are moving from one place to another and subject to the following conditions, namely:—

- the machines shall be worked with due care so as to avert danger arising out of any electrical defect and the insulation resistance of the high pressure circuit including the induction motors shall not be less than 10 megohms,
- the flexible trailing cables for use with the machines shall be of adequate size of the type 321 C of B.S.S. 1116—1943, and shall be connected to the electrical supply system and the machines by properly constructed connector boxes. The flexibles cable shall be examined by competent person at least once in each shift and replaced or properly repaired as soon as found damaged or defective:

Provided that the aforesaid relaxation shall be valid only for such time as the said machines are in use at the mine and that due information shall be given to the Central Government through the Electric Inspector of Mines, as soon as any of the machines is taken out of the mine.

[No. EL-II-353(4)/56.]

N. S. VASANT,
Officer on Special Duty.

MINISTRY OF COMMUNICATIONS*New Delhi, the 20th July 1956*

S.R.O. 1690.—The following draft of a further amendment in the Indian Aircraft Rules, 1937, which the Central Government proposes to make in exercise of the powers conferred by section 5 of the Indian Aircraft Act, 1934 (22 of 1934), is published as required by section 14 of the said Act, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 18th October 1956.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

Rule 130B of the said Rules shall be omitted.

[No. 10-A/113-55.]

M. DAYAL, Dy. Secy.

(Posts and Telegraphs)*New Delhi, the 18th July 1956*

S.R.O. 1691.—In exercise of the powers conferred by the Indian Post Office Act, 1898 (VI of 1898), the Central Government hereby makes the following further amendment in the Indian Post Office Rules, 1933, namely:—

For item (WI) of Rule 183 of the said Rules the following shall be substituted, namely:—

“(WI) The Chairman and Secretary of the Saurashtra and West Bengal State Electricity Boards and Officers-in-charge of Power Houses and other Administrative offices under the control of the said Boards, provided that the articles posted by them relate solely to the Business of the respective Board”.

[No. C-24-6/56.]

T. R. MANTAN, Dy. Secy.

MINISTRY OF REHABILITATION*New Delhi, the 18th July 1956*

S.R.O. 1692.—In exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby directs that the following amendment shall be made and shall be deemed always to have been made in the notification of the Government of India No. SIII-3(4)/55 dated the 23rd June, 1956, namely:—

In the said notification for entry No. 2 relating to District Muzaffarnagar the following entry shall be substituted namely:—

S.No.	Particulars of the evacuee property.		Name of the town and locality in which the evacuee property is situated.	Name of the evacuee
	Khasra No.	Area in Bighas.		
2	1002	1-18-0	Khatauli Tch. Janseth.	Akram Khan, Mohd. Azam Khan s/o Afzal Khan Mohd. Umar Khan s/o Sarfraz Khan.
	1003/1	1-3-0		
	1003/2	0-10-0		
	1004/1	1-3-0		
	1004/2	0-9-0		
	1005	7-0-0		
	1016	2-4-0		
14-7-0				

[No. SIII-3(4)/56.]

H. S. NAIR, Under Secy.

New Delhi, the 24th July 1956

S.R.O. 1693.—In pursuance of sub-rule (1) of rule 95 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, the Central Government hereby invites applications in the form specified in Appendix XXVI to the said rules, within ninety days from the date of publication of this notification, for the payment of rehabilitation grants, from all displaced persons having no verified claims who have left immovable property in West Pakistan and who came to India from West Pakistan after the 9th December, 1955.

[No. F.44/3/56/SI.]

KULWANT SINGH, Under Secy.

MINISTRY OF LABOUR

New Delhi, the 17th July 1956

S.R.O. 1694.—The Government of the State of Hyderabad having nominated, in exercise of the powers conferred by clause (d) of section 4, read with sub-section (2) of section 5, of the Employees' State Insurance Act, 1948 (34 of 1948), Shri S. V. Chavan, I.A.S., Joint Secretary, Labour Department, Hyderabad as a member representing the State of Hyderabad in the Employees' State Insurance Corporation, in the place of Shri Humayun Yar Khan, I.A.S., the following amendment is made in the notification of the Government of India in the Ministry of Labour, No. S.R.O. 2155, dated the 16th November, 1953, namely:—

In the said notification, for item 18 (which relates to Shri Humayun Yar Khan, the following item shall be substituted, namely:—

"18. Shri S. V. Chavan, I.A.S., Joint Secretary to the Government of Hyderabad, Labour Department, Hyderabad."

[No. HI-1(51)/56.]

S.R.O. 1695.—The Government of the State of Andhra having nominated, in exercise of the powers conferred by clause (d) of section 4, read with sub-section (2) of section 5, of the Employees' State Insurance Act, 1948 (34 of 1948), Shri A. Ramamoorthy, Commissioner of Labour, Andhra as a member representing the State of Andhra in the Employees' State Insurance Corporation, in the place of Shri C. R. Reddy, the following amendment is made in the notification of the Government of India in the Ministry of Labour, No. S.R.O. 2155, dated the 16th November, 1953, namely:—

In the said notification, for item 17 (which relates to Shri C. R. Reddy), the following item shall be substituted namely:—

"17. Shri A. Ramamoorthy, Commissioner of Labour, Andhra."

[No. HI-1(51)/56.]

S.R.O. 1696.—The Government of the State of Rajasthan having nominated, in exercise of the powers conferred by clause (d) of section 4, read with sub-section (2) of section 5, of the Employees' State Insurance Act, 1948 (34 of 1948), Shri A. K. Roy, Secretary, Labour Department, Jaipur, as a member representing the State of Rajasthan in the Employees' State Insurance Corporation, in the place of Shri G. L. Mehta, the following amendment is made in the notification of the Government of India in the Ministry of Labour, No. S.R.O. 2155, dated the 16th November, 1953, namely:—

In the said notification, for item 21 (which relates to Shri G. L. Mehta), the following item shall be substituted, namely:—

"21. Shri A. K. Roy, Secretary to the Government of Rajasthan, Labour Department, Jaipur."

[No. HI-1(51)/56.]

New Delhi, the 24th July 1956

S.R.O. 1697/PWA/14/N.1/Am.-3/56.—In exercise of the powers conferred by sub-section (3) of section 14 read with section 24 of the Payment of Wages Act, 1936 (4 of 1936), the Central Government hereby makes the following further

amendments in the notification of the Government of India in the Ministry of Labour, No. S.R.O. 232, dated the 12th January 1954, namely:—

In the said notification—

- (i) In the local limits indicated against items 13 to 19, for the words “Orissa and Vindhya Pradesh”, the words “and Orissa” shall be substituted;
- (ii) In the local limits indicated against items 28 to 33, for the words “and Madhya Bharat”, the words “Madhya Bharat and Vindhya Pradesh” shall be substituted; and
- (iii) In item 18, for the word “Bermo”, the word “Ranchi” shall be substituted.

[File No. Fac.103(26)/56.]

B. R. KHANNA, Under Secy.

New Delhi, the 17th July 1956

S.R.O. 1698.—In pursuance of paragraph 3 of the Coal Mines Provident Fund Scheme published with the notification of the Government of India in the Ministry of Labour, No. PF. 15(5)/48 dated the 11th December 1948, the Central Government hereby nominates Shri S. G. Rao, Manager, Rajnagar Colliery, P.O. Rajnagar Colliery, District Shahdol, to the Board of Trustees and makes the following amendment in the notification of the Government in the Ministry of Labour, No. S.R.O. 2227, dated the 5th October 1955, namely:—

In the said notification for the entry “(12) Shri Ragunath Sahai Gulati, Colliery Manager, Rewa Coalfields Limited, Umaria Colliery, P.O. Umaria, Vindhya Pradesh”, the entry “(12) Shri S. G. Rao, Manager, Rajnagar Colliery, P.O. Rajnagar Colliery, District Shahdol, Vindhya Pradesh”, shall be substituted.

[No. P.F.4(26)/56.]

New Delhi, the 18th July 1956

S.R.O. 1699.—Whereas it appears to the Central Government that the employees and the majority of employees in relation to the factories of (1) Messrs. Bose Works Limited, 9, Clive Row, Calcutta, and (2) Messrs. Tractor Engineers (Private) Limited, Construction House, Ballard Estate, Bombay, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said factories.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby applies the provisions of the said Act to the said factories.

[No. PF-57(11)/56.]

S.R.O. 1700.—In exercise of the powers conferred by sub-section (2) of section 16 of the Employees' Provident Funds Act, 1952 (XIX of 1952), the Central Government hereby exempts all handloom factories organized as industrial co-operatives, as a class, from the provisions of the said Act for a period of five years from the 1st January, 1955.

[No. PF.42(6)/55/I.]

New Delhi, the 21st July, 1956.

S.R.O. 1701.—Whereas immediately before the Employees' Provident Fund Act, 1952 (19 of 1952), became applicable to the establishment of the factory of Messrs. the Oriental Metal Industries Limited, Agarpara, 24-Parganas, there was in existence a provident fund common to the employees employed in the establishment of the said factory to which the said Act applies and the employees in their Head Office at Bowbazar Street, Calcutta.

Now, therefore, in exercise of the powers conferred by section 1 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby directs that the provisions of the said Act shall apply to the establishment of the Head Office of the said factory situated at Bowbazar Street, Calcutta.

[No. PF.57(12)/56.]

New Delhi, the 22nd July 1956

S.R.O. 1702.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (XIX of 1952), the Central Government hereby appoints Shri P. R. Oza to be an Inspector for the whole of the State of Bombay for the purposes of the said Act and of any Scheme made thereunder, in relation to factories, engaged in a controlled industry or in an industry connected with a mine or an oilfield.

[No. PF.31(229)/56.]

New Delhi, the 24th July 1956

S.R.O. 1703.—Whereas immediately before the Employees' Provident Funds Act, 1952 (19 of 1952) became applicable to the establishments of the factories of (1) National Tobacco Company India Ltd., Agarpara, 24-Paraganas, (2) Messrs K. P. Das and Company Limited, Howrah and (3) Messrs Dalmia Cement (Bharat) Limited Dalmiapuram, there was in existence a provident fund common to the employees employed in the establishments of each of the said factories to which the said Act applies and the employees in their (1) Head Office at 1 and 2 Old Court House Street, Calcutta (2) Blacksmith and Rivetshops, 246 Netaji Subhash Road, Howrah and (3) Quarry at Dalmiapuram respectively:

Now, therefore, in exercise of the powers conferred by Section 3 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby directs that the provisions of the said Act shall apply to the establishments of the Head Office, Blacksmith and Rivetshops and Quarry of the said factories respectively situated at (1) 1 and 2 Old Court Road, Calcutta, (2) 246, Netaji Subhash Road, Howrah and (3) Quarry of M/S Dalmia Cement (Bharat) Limited, Dalmiapuram.

[No. PF.57(12) 56.]

R. C. SAKSENA, Under Secy.

New Delhi, the 18th July 1956

S.R.O. 1704.—In exercise of the powers conferred by sections 6 and 9 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby nominates Shri K. Narayanan, Deputy Secretary to the Government of India, Ministry of Transport, New Delhi, to be a member of the Advisory Committee, appointed in the notification of the Government of India in the Ministry of Labour No. S.R.O.-2087, dated the 21st June, 1954, in the vacancy caused by the resignation of Shri T. S. Parasuraman, Deputy Secretary to the Government of India, Ministry of Transport, New Delhi and makes the following amendment in the said notification, namely:—

Under the heading "(2) Representatives of employers", for the entry "1. Shri T. S. Parasuraman, Deputy Secretary to the Government of India, Ministry of Transport, New Delhi", the entry "1. Shri K. Narayanan, Deputy Secretary to the Government of India, Ministry of Transport, New Delhi" shall be substituted.

[No. LWI-I-6(11)1956.]

S.R.O. 1705.—In exercise of the powers conferred by sections 7 and 9 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby nominates Shri K. Narayan, Deputy Secretary to the Government of India, Ministry of Transport, New Delhi to be a member of the Advisory Board, appointed in the notification of the Government of India in the Ministry of Labour No. S.R.O. 2088 dated the 21st June, 1954, in the vacancy caused by the resignation of Shri T. S. Parasuraman, Deputy Secretary to the Government of India, Ministry of Transport, New Delhi and makes the following amendment in the said notification, namely:—

Under the heading "(2) Representative of Employers", for the entry "1. Shri T. S. Parasuraman, Deputy Secretary to the Government of India, Ministry of Transport, New Delhi", the entry "1. Shri K. Narayanan, Deputy Secretary to the Government of India, Ministry of Transport, New Delhi" shall be substituted.

[No. LWI-I-6(11)1956.]

A. L. HANDA, Under Secy.

New Delhi, the 18th July 1956

S.R.O. 1706.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), read with sub-section (3) of section 23A of the Industrial Disputes (Appellate Tribunal) Act, 1950 (48 of 1950), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras:—

**BEFORE SHRI K. N. KUNJUKRISHNA PILLAI, B.A. B.L., CHAIRMAN,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, MADRAS**

Misc. Case No. III-C-210 of 1953

**Shri K. R. Meenakshi Sundaram, 7/42, Sarojini St., Brahmin Extension,
Coimbatore—Applicant.**

versus

**The Managing Director, The Central Bank of India Ltd., Head Office, Fort,
Bombay—Opponent.**

**In the matter of an application under section 23 of the Industrial Disputes
(Appellate Tribunal) Act, 1950.**

Dated, Madras, the 29th June 1956

Present:

Shri K. N. Kunjukrishna Pillai, Chairman.

APPEARANCES:

For the applicant—Messrs. S. Mohan Kumaramangalam, Bar-at-law, C. Ramanathan, Advocates Madras.

For the opponent—Messrs. P. V. Chalapathi Rao and S. Vaidyanathan, Advocates, Madras.

STATE—Madras.

INDUSTRY—Banking.

AWARD

Sri Meenakshisundaram has filed an application under section 23 against the Central Bank of India and it was registered as Misc. Case No. III-C-210 of 1953. Sree Meenakshisundaram who will be mentioned as applicant hereinafter, was a clerk employed under the Central Bank of India (which will be mentioned as Bank hereinafter). Both the parties have filed copies of the correspondence between them and the representatives of the parties argued the case admitting and relying on those documents.

2. The circumstances that led to the dispute between the parties can be narrated briefly. The applicant was a clerk who had put in about nine years' service in the Bank and he was transferred from the Karur Branch Office of the Bank to Mangalore Office. He was ordered to take charge on 3rd December, 1951. Even though the applicant expressed his difficulty to take charge at Mangalore Branch, he did take charge on 3rd December, 1951. After working there for about a month, he had applied for leave on the ground of sickness and his applications were allowed for some times after getting the certificate from District Medical Officer. He was on leave till 7th June, 1952 and after that he was issued memos. by the Bank to join duty within specified dates till at last the Bank asked him to join duty on or before 1st September, 1952 but the applicant continued to request the management for a transfer on the ground that his joining duty at Mangalore would imperil his health. The matter was taken up to the Conciliation Officer by the applicant but no settlement was possible and to the letter addressed by the applicant, the Bank replied on 21st April, 1953 that no cognizance would be taken of his requests thereafter.

3. The contention of the applicant is that his services were refused illegally during the pendency of the appeal against the Award of the All India Industrial (Bank Disputes) Tribunal without permission of the Tribunal and as such relief should be granted under section 23 of the Act. The contention of the Bank is that the application is unsustainable in law as well as in fact and even on merits also the application has to be dismissed.

4. I will take up the question of jurisdiction first. The Bank contends that there is inherent want of jurisdiction to entertain the application under section 23 on both the crucial point of time at which and the appropriate forum before which this complaint should have been made. According to the contention of the Bank that the relevant events took place between January 1952 and September 1952 because the last memo. by the Bank was issued asking the applicant to resume

duty on or before 1st September, 1952 (Memo., dated 26th August, 1952). Sri Chalapathi Rao, the learned Advocate for the Bank would urge that during the period, the Bank dispute was pending before the All India Industrial (Bank Disputes) Tribunal and the Award was published on 20th April, 1953. Hence he would argue that there was no contravention of the provisions of section 22 during the pendency of proceedings before the Appellate Tribunal within the language of section 23 of the Act. Sri Rao would submit that even if it was to be considered that there was contravention, the proper forum would be before the All India Industrial (Bank Disputes) Tribunal under section 33A. He relied on the rulings of the Supreme Court reported in A.I.R. 1955, SCJ, P. 258 at P. 263 and 1956 S.C.J. P. 270 at P. 271. Shri Rao would urge that even though the applicant's case in the argument was that the refusal to give work continues even up-to-date, there was no pleadings in the statement and the Tribunal should consider only pleadings and not arguments. For this position, he relies on the ruling of the Supreme Court as reported in 1956 S.C.J. P. 270 at P. 274. It is held:—

'Now the only point of requiring pleadings and issue is to ascertain the real dispute between the parties to narrow the area of conflict and to see just where the two sides differ. It is not open to the Tribunals to fly off at a tangent and disregarding that they think are just and proper'.

It has to be stated that from the pleading it is clear what is the issue to be decided in disposing of this application.

5. Another point raised regarding want of jurisdiction is that there must be contravention and it should be specifically pleaded. According to Mr. Rao, there cannot be a contravention attracted by clause (a) of section 22 because it is not specifically pleaded or (b) of section 22 because the applicant pleads that he is still in service. The decision of the Supreme Court as reported in A.I.R. 1955-S.C.J.-P. 258 and Justice Shri Rajagopalan as reported in 1956—M.L.J. P. 246 at Page 248 are brought to my notice.

6. On the other hand, the contention of the applicant is that the Tribunal has jurisdiction. It is emphatically alleged by Sri Kumaramangalam on behalf of the applicant that the contravention is that the applicant has been refused work and pay without adequate reasons and this has continued right up-to-date and hence an application under section 23 is competent because right through the pendency of the appeal, this contravention continued. He would also argue that there was neither order of dismissal or resignation and the correspondence between the parties continued regarding the refusal of employment. The learned Advocate relies on the decision of the Labour Appellate Tribunal as reported in 1954—II—LLJ—P. 326 and 1955—I—LLJ—P. 577.

7. Admittedly the Bank has neither terminated the service or dismissed in writing the applicant nor did the applicant resign his job. The Bank has admitted in its letter, dated 4th April, 1953 that 'it is not correct to say that Meenakshisundaram's service was terminated'. Mr. Rao would argue that the applicant had by his unilateral action left the service. That is to say that he had abandoned the service. It cannot be presumed that there was abandonment of service because abandonment in law should have to be inferred by the conduct of the applicant, either by joining another bank and taking up other avocation of existence. But from the letters of the applicant, it is clear that he wants to resume work anywhere except Mangalore. So I do not find my way to accept the plea that the applicant abandoned the service. Then what is the legal position of the applicant? There was cessation of work due to the fault of either party. That is to say that the Bank refused to employ him in any branch except Mangalore for its own reasons and the applicant insisted on his employment anywhere except at Mangalore for his own reasons. So it is clear that there is refusal of work on justifiable or unjustifiable grounds.

8. It should be noted that the Bank in its very many memos., dated 21st July, 1952, 5th August, 1952, 16th August, 1952 and 23rd August, 1952 asked the applicant to join duty at Mangalore and the applicant was insisting that the Bank should be pleased to transfer him to any other branch except Mangalore. It is also pertinent to note that the Bank did not take serious action on the failure of the applicant to join duty at Mangalore on 1st September, 1952, because it is clear that if the Bank took serious notice of it, they would have proceeded further and would have terminated his services by a written order. The conduct of the Bank in continuing to give him in service is clearly patent from their letter, dated 4th April, 1953 in which the Bank has unequivocally stated that 'it is not correct

to say that Meenakshisundaram's service was terminated'. Hence I am perfectly satisfied that by the conduct of the Bank they have left open the choice of joining duty at Mangalore by the applicant and continued refusal of work in any other branch of the Bank. Hence there is much force and reason in the argument of the Advocate that this contravention is a continuous process. Thus the question of jurisdiction depends upon the existence of the facts namely the refusal to give work which was a continuous process and also the intention of the Bank that the applicant should work only at Mangalore. Refusal to give work without adequate reasons amounts to changes in the conditions of service as held by the Labour Appellate Tribunal reported in 1954—II—LLJ—P. 38.

9. Hence the next question to be decided is whether the refusal to give work to the applicant to any other branch offices in Tamil Nad except to Mangalore is on justifiable grounds or not?

10. The applicant was transferred from Karur to Mangalore by the order, dated 14th November, 1951. Immediately he met the authorities and put before them his difficulties consequent on the transfer because his children were studying in the school at Karur and a transfer at the middle of the school year would upset their studies. He made a written representation also. Since the Bank insisted, in obedience to the order he has joined duty on 3rd December, 1951 and after continuing there for a month, he applied for leave on 10th January, 1952 on the ground that he was suffering from dysentery. It is not disputed that he was suffering from dysentery because the Bank has written to the District Medical Officer at Coimbatore on 26th April, 1952 to examine the applicant and leave was sanctioned thereafter also. So it is beyond doubt that he was suffering from dysentery which had become chronic in that period and there was *bonafides* in the leave applications. Hence the two grounds on the basis of which the applicant protested against the transfer and insisted on a transfer to some other places in Madras are that the dislocation of education of his children and his continued ill-health. Unless and until the Bank come to the conclusion that both the grounds are false ones, I do not understand why the Bank did not consider the request of the applicant on reasonable considerations. Of course, it is the primary right of the employer to transfer the employees but when such transfers are questioned by the transferees, the Tribunal will, within its functions, have to look into it. It is not the case of the Bank that unless the applicant continues in the Mangalore Branch, the business there would collapse. I see from the correspondence that passed between the parties that there was continuous request for transfer to any other place in Tamil Nad. In this connection, Sri Kumaramangalam would point out that the applicant had obeyed the order of the Bank by joining duty at Mangalore however unreasonable it may be. Even in spite of the elaborate and eloquent argument of Mr. Rao, I am convinced that the Bank ought to have deferred the order of transfer even at the outset when the applicant brought to the notice of the authorities that his only child was studying in the school and a change in the midst of the academic year would upset the education especially in view of the fact that there was difficulty to continue the Tamil education in Mangalore. There may be more important consideration to over-ride this aspect to warrant a transfer but existence of such circumstances are not proved or alleged. The health of a person is most important. In April 1952, the Bank sought the advice of Dist. Medical Officer, Coimbatore to ascertain whether the applicant was suffering from dysentery and presumably on the advice of the Doctor, leave was sanctioned. Hence it was clear to the Bank that he was not well at least at the time when leave was sanctioned till 7th June, 1952. Why not the Bank asked the applicant to produce medical certificate before issuing the fifth memo, dated 23rd August, 1952? A sickly man, who was under the apprehension that he got sickness on account of his stay at Mangalore, would not dare to join duty at Mangalore and would resist it at any cost. This should not be construed as disobedience of the orders of the management and such questions will have to be viewed with more human sympathy and any enforcement of laws and regulations with the threat of termination of service may not be conducive to cordial relationship and establishment of industrial peace. Hence I am absolutely convinced that the insistence of the Bank in asking the applicant to work at Mangalore under the circumstances is thoroughly unjustifiable. I presume that it was the prestige of the management which was unfortunately responsible for the state of affairs. I can understand the prestige of the parties to some extent but when the principles of prestige is extended to a point at which the question of devoiding the other party of this means of livelihood is threatened, I cannot understand and ratify it. Hence in refusing to give work to the applicant on unjustifiable grounds the Bank has contravened the provisions of section 22 as it was made clear in the letter, dated 21st April, 1953 and has continued to do so. Hence an application under section

23 is sustainable as it was during the pendency of appeal against the Bank Award and the Bank did not get the permission of the Labour Appellate Tribunal. So I have jurisdiction both in point of time as well as forum.

11. After finding that there is contravention, I have to go into the merits of the application. I found that the order of transfer to Mangalore as well as the insistence to continue him is unjustifiable. Further it is contended that the Bank has violated the principles of natural justice in refusing to give work to the applicant. According to the management the applicant over-stayed the sanctioned leave by refusing to join duty. That being a misconduct, the Bank ought to have instituted an enquiry. Even if there are no Standing Orders in that behalf, the principles are well-known about the necessity for an enquiry on grounds of justice, equity and good-conscience. It is clear that there was no such enquiry and on this ground also, the action of the management is unjustifiable.

12. It is not that the Bank did nothing and the doors were wide open for the applicant to join for work. The Bank imposed a condition which has become impossible for fulfilment. The applicant could continue to work at Mangalore only at the peril of his life. The order that the applicant should do it is arbitrary if not capricious. The ground that the continuance of the education of his only child in Tamil schools would become impossible at Mangalore especially at the middle of the academic year is a very reasonable. Hence I hold that the Bank was unjustified in transferring the applicant to Mangalore by its order, dated 21st January, 1951 and insisting to continue the work there. Hence I find that the applicant should be allowed to join his original job with continuity of service in a Branch except Mangalore taking into consideration his representation in that behalf.

13. The learned Advocate on behalf of the applicant would urge that back-wages should be paid in case the application is allowed. This is a case in which the Bank unjustifiably refused employment to the applicant. Hence I find that the Bank should pay him the backwages from the date when the sanctioned leave expires till the date of the applicant joins duty. The applicant should be allowed to assume duty within four weeks from the date of publication of this award according to section 17 of the Industrial Disputes Act, 1947; and the arrears should be paid within six weeks from the date of publication. If the applicant is not posted to a station as mentioned above, he is entitled to claim his wages as if he is in service.

14. I pass this award as specified above and this comes into effect from the date of publication according to section 17 of the Industrial Disputes Act, 1947.

K. N. KUNJUKRISHNA PILLAI, Chairman.

Central Govt. Industrial Tribunal, Madras.

[No. LR-4(20)/56-I.]

S.R.O. 1707.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), read with sub-section (3) of section 23A of the Industrial Disputes (Appellate Tribunal) Act, 1950 (48 of 1950), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras:—

**BEFORE SHRI K. N. KUNJUKRISHNA PILLAI, B.A., B.L., CHAIRMAN,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, MADRAS**

MISC. CASE No. BOM. 30 OF 1954

Shri C. Satyanarayana Rao, c/o Sri C. V. S. Rao, Typist, Purchase Section,
Andhra Power System, Gandhinagar, Vijayawada.—*Applicant.*

versus

The Canara Industrial & Banking Syndicate Ltd., Head Office, Mukund
Nivas, UDIPI (South Canara)—*Opponent.*

In the Matter of an application under section 23 of the Industrial Disputes
(Appellate Tribunal) Act, 1950.

Dated, Madras, 30th June 1956

Present:

Shri K. N. Kunjukrishna Pillai, *Chairman.*

APPEARANCES:

For the applicant—Shri P. K. Janardhanan Pillai, President, Canara Industrial & Banking Syndicate Employees' Union.

For the opponent—Shri M. L. Nayak, Advocate, Madras.

STATE—Madras.

INDUSTRY—Banking.

AWARD

Shri C. Sathya Narayana Rao, a clerk employed in the management of Canara Industrial & Banking Syndicate Ltd., filed an application under section 23 of the Industrial Disputes (Appellate Tribunal) Act, 1950 and it was registered as Misc. Case No. Bom. 30 of 1954.

2. Shri C. Sathya Narayana Rao (who will be mentioned as clerk hereinafter) was employed in the Vizayawada Office of the Canara Industrial & Banking Syndicate Ltd. (which will be mentioned as Bank hereinafter) and his services were terminated by a letter, dated 18th May 1953. It is alleged that his termination was during the pendency of the appeal preferred against the Award passed by the All India Industrial (Bank Disputes) Tribunal (which would be mentioned as Sastry Award). The termination of the services is questioned by the clerk on the ground that no enquiry worth the same was conducted before the termination and that it was without the permission of the authority contemplated under section 22 of the Industrial Disputes (Appellate Tribunal) Act, 1950. The Bank Management, on the other hand, would contend that the application filed under section 23 is unsustainable in law in that the termination was not during the pendency of any appeal between the parties and that the clerk was a probationer who could not invoke the aid of section 23. It is also contended that on merits also, the petition could not stand.

3. I will consider the objection raised by the Bank that there was no pendency of appeal on the date of termination of the services of the clerk. The Sastry Award was published in the Gazette on 20th April, 1953 and the appeal was preferred to the Labour Appellate Tribunal on 19th May, 1953. Admittedly the clerk was suspended on 30th April, 1953 and the explanation was called for and it was submitted on 7th May, 1953. The Bank terminated the services of the clerk by a letter, dated 18th May, 1953 saying that his services were dispensed from 30th April, 1953 that is from the date of suspension. Even supposing that the termination of services is from 18th May, 1953, the learned Advocate on behalf of the Bank would argue that on the date of termination that is 18th May, 1953, there was no pendency of appeal between the parties because the appeal against the Sastry Award was preferred only on 19th May, 1953. But the representative of the applicant would strongly urge that it was sufficient that the termination took place 30 days prior to the date of filing of the appeal as provided in section 22 of the Act.

4. Section 23 of the Industrial Disputes (Appellate Tribunal) Act, 1950 says:—

“Where an employer contravenes the provisions of section 22 during the pendency of proceedings before the Appellate Tribunal, any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner to such Appellate Tribunal and on receipt of such complaint, the Appellate Tribunal shall decide the complaint as if it were an appeal pending before it, in accordance with the provisions of this Act and shall pronounce its decision thereon and the provisions of this Act shall apply accordingly”.

The words ‘during the pendency of proceedings before the Appellate Tribunal’ connote the pending of appeal before the Labour Appellate Tribunal. According to section 22, a ban is imposed on the employer not to alter the conditions of service or not to discharge or punish whether by dismissal or otherwise any workman concerned in such appeal during the period of 30 days allowed for the filing of the appeal under section 10 or during the pendency of any appeal under this Act. It is true that the employer should not alter to the prejudice of the workmen concerned the conditions of service or discharge or punish any workman during the period of 30 days allowed for the filing of the appeal, but if there is a contravention during this period, the question arises which is the forum before which the worker can seek his remedy. According to section 17(a) of the Industrial Disputes Act, 1947, the Award of the Industrial Tribunal comes into operation with effect from such date as may be specified therein but where no date was specified therein, it shall come into operation on the date when the Award

becomes enforceable on the expiry of 30 days from the date of publication under section 17 of the Industrial Disputes Act. So the provisions of section 17(a) gives the clue to the aggrieved party regarding the proper forum before which the complaint can be filed 30 days before the date of filing of the appeal. Now the period 'during the pendency of the proceedings before the Appellate Tribunal' means the period covered by the commencement and conclusion of appeal. Section 17 of the Industrial Disputes (Appellate Tribunal) Act states that:

'An appeal before the Appellate Tribunal shall be deemed to have commenced on the date of the filing of the appeal and such appeal shall be deemed to have concluded on the date on which the decision of the Appellate Tribunal becomes enforceable under section 15.

So the period commences from the date of filing of the appeal. Hence the aggrieved party in this case has a right to file an application under section 23 of the Industrial Disputes (Appellate Tribunal) Act, 1950 only if the contravention took place on or after 19th May 1953. The learned Advocate on behalf of the Bank rightly relies on the decision of the Labour Appellate Tribunal in the Northern India Oil Industries Ltd., case as reported in 1954—II—LLJ—P. 455. It is held in that case that the conditions precedent to entitle an employee to make a complaint under section 23 of the Act are (1) that there should be a contravention of Section 22 of the Act and (2) that the contravention must have taken place during pendency of proceedings before the Appellate Tribunal. Section 17 of the Industrial Disputes (Appellate Tribunal) Act, 1950 says that an appeal commences on the date of filing says:

It is further held that Section 23 however, in clear words lays down that the complaint is maintainable only when the contravention of Section 22 takes place during the pendency of proceedings before the Labour Appellate Tribunal. Hence an application under Section 23 of the Act complaining of contravention of Section 22 during the period of limitation prescribed for filing of appeals (under Section 10 of the Act) but before the actual filing of the appeal, must be held to be incompetent. In the case cited above, it is noted that: "the complainant was dismissed on a date prior to the institution of any of the three appeals in this Tribunal in which he was concerned". The Labour Appellate Tribunal has held the same view in another case reported in 1953—LAC—P. 367, and also in Chandi Bhai Uma Vs. Elephant Oil Mills Ltd., case reported in 1953—I—LLJ—P. 370.

5. It is evident from the above decision of the Labour Appellate Tribunal that two conditions precedent are essential to entitle an employee to make a complaint under section 23 of the Industrial Disputes (Appellate Tribunal) Act, 1950 are (1) there should be a contravention of section 22 (2) that the contravention must have taken place during the pendency of such proceedings before the Labour Appellate Tribunal.

6. Hence I have to uphold the objection strongly raised by the learned Advocate on behalf of the Bank because the pendency of the relevant appeal commenced from 19th May 1953 and the letter of termination of services of clerk from 30th April, 1953 was communicated to the party on 18th May 1953. Hence the contravention did not take place on the date of pendency of proceedings before the Labour Appellate Tribunal.

7. The objection that the clerk could not come under section 23 on the ground that he was a probationer cannot be upheld because even though he was appointed probationally, the conduct of the party was such that he was not considered as a probationer as he continued in service.

8. In view of my finding that the present application does not lie there is no necessity to go into the merits but the learned Advocate on behalf of the Bank would submit that his client is prepared to pay compensation to the clerk and he would request me to fix the amount.

9. Even though I am not expected to consider the question of compensation, on the demand and request of the Bank I take into consideration the question of compensation. In deciding the compensation, I have to examine the charge levelled against the clerk whether justifiable or not.

10. Even though three charges were levelled against the clerk, the learned Advocate would state that the charge regarding the temporary misappropriation was alone relevant. On going through the evidence, it is sufficient to say that the charge of temporary misappropriation is baseless and the management was not fully justified in acting on the report of the Agent of Gundur Office. In view of the fact that the clerk is a young man and a graduate, I will be justified in

exonerating him from the allegation of temporary mis-appropriation and I have no doubt that he is completely innocent in the correction he is alleged to have made in the slip issued to Shri Narasimhan. Hence the management will not hesitate to pay him compensation at the rate of 2 months' salary for each year of service which he was receiving on the date of his termination of his service.

11. With the above observation, I dismiss the application as it is not maintainable in law. This award will come into effect from the date of publication in the Gazette according to Section 17 of the Industrial Disputes Act, 1947.

K. N. KUNJUKRISHNA PILLAI, Chairman,
Central Government Industrial Tribunal, Madras.

[No. LR-4(20)/56-II.]

ORDER

New Delhi, the 20th July 1956

S.R.O. 1708.—Whereas the Bombay State Bank Employees' Federation, the All India Bank Employees Co-ordination Committee, the All India Bank Employees Association and the U.P. Bank Employees Federation have raised certain matters relating to the interpretation of the award of the All-India Industrial Tribunal (Bank Disputes), Bombay, constituted by the notification of the Government of India in the Ministry of Labour, No. S.R.O. 35, dated the 5th January, 1952, as modified by the decision of the Labour Appellate Tribunal in the manner referred to in section 3 of the Industrial Disputes (Banking Companies) Decision Act, 1955 (41 of 1955);

And whereas the Central Government is of opinion that a difficulty or doubt has arisen as to the interpretation of the said award, modified as aforesaid, in respect of the matters specified in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby refers the said matters for decision to Shri D. E. Reuben, Member, Labour Appellate Tribunal, constituted under section 5 of the Industrial Disputes (Appellate Tribunal) Act, 1950 (48 of 1950).

SCHEDULE

What method should be followed in calculating the half-yearly average all-India cost of living index numbers (Consumer Price Index Numbers) mentioned in paragraph 152 of the award of the All India Industrial Tribunal (Bank Disputes) constituted by the notification of the Government of India in the Ministry of Labour No. S.R.O. 35, dated the 5th January, 1952, modified as aforesaid, and in particular, whether the monthly index or the half-yearly average or both should be corrected to the nearest integer and if so at what stage.

[No. LR.10(39)/56.]

New Delhi, the 21st July 1956

S.R.O. 1709.—Whereas the All India Bank Employees Association, Agra, have alleged that the State Bank of India, Agra, has not permitted certain workmen of the bank to be defended in disciplinary proceedings against them by a representative of a registered trade union of bank employees, in accordance with sub-paragraph (10) of paragraph 521 of the award of the All India Industrial Tribunal (Bank Disputes), Bombay, constituted by the notification of the Government of India in the Ministry of Labour No. S.R.O. 35, dated the 5th day of January 1952, as modified by the decision of the Labour Appellate Tribunal in the manner referred to in section 3 of the Industrial Disputes (Banking Companies) Decision Act, 1955 (41 of 1955);

And whereas the Central Government is of opinion that a difficulty or doubt has arisen as to the interpretation of sub-paragraph (10) of paragraph 521 of the said award in respect of the matter specified in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby refers the said matter for decision to Shri D. E. Reuben, member of the Labour Appellate Tribunal constituted under section 5 of the Industrial Disputes (Appellate Tribunal) Act, 1950 (48 of 1950).

SCHEDULE

Whether a workman of a bank against whom disciplinary action is being taken, is entitled to be defended, under sub-para (10) of paragraph 521 of the award of the All India Industrial Tribunal (Bank Disputes) constituted by the notification of the Government of India in the Ministry of Labour No. S.R.O. 35, dated the 5th day of January 1952, modified as aforesaid, by a representative of any registered union of bank employees whether or not—

- (a) such workman is a member of that union;
- (b) that union has any membership among the employees of the bank in question; or
- (c) a separate registered union of the employees of the bank exists of which the workman concerned may or may not be a member.

[No. LR100(93)55.]

CORRIGENDA

New Delhi, the 16th July, 1956

S.R.O. 1710.—In line 4 of the notification of the Government of India in the Ministry of Labour, No. S.R.O. 556, dated the 24th February, 1956, published at page 294, in Part II—Section 3 of the Gazette of India, dated the 3rd March 1956, the figure “1947” should be read as “1946”.

[No. LR11(10)/55.]

New Delhi, the 24th July 1956

S.R.O. 1711.—In the order of the Government of India in the Ministry of Labour S.R.O. No. 1448, dated the 14th June, 1956 published at pages 1070-1071, in Part II Section 3 of the Gazette of India, dated the 23rd June, 1956, in the first line of item (vi) of the Schedule, for “42 miners” read “42 workmen”.

[No. LR-II-2(55)/55.]

P. D. GAIHA, Under Secy.

MINISTRY OF INFORMATION AND BROADCASTING

ORDER

New Delhi, the 18th July 1956

S.R.O. 1712.—The Central Government hereby:—

- (a) directs, in pursuance of the provisions of the Order of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 38-5, dated the 26th December, 1955 and in modification of the Order of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 1216, dated the 19th May, 1956, that the Advisory Panel of the Central Board of Film Censors at Calcutta shall consist of 12 members.
- (b) re-appoints, after consultation with the Central Board of Film Censors Dr. R. C. Mazumdar, as a member of the Advisory Panel at Calcutta with effect from the 1st March, 1956.

[No. 14/3/56-FC.]

D. KRISHNA AYYAR, Under Secy.

